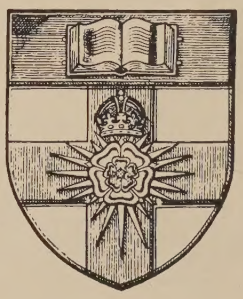

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July, 1915 — June, 1916.

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1882, Frederic Ward Putnam . . . . . August 14, 1915.
1901, Arthur Theodore Lyman . . . . . Oct. 24, 1915.
1903, Samuel Savage Shaw . . . . . Sept. 24, 1915.
1905, John Davis Long . . . . . August 28, 1915.
1914, Frederick Lewis Gay . . . . . March 3, 1916.
1916, Thomas Russell Sullivan . . . . . June 28, 1916.

Corresponding.

1896, James Burrill Angell . . . . . April 1, 1916.
1902, John Christopher Schwab . . . . . Jan. 12, 1916.

PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

OCTOBER MEETING, 1915.

THE stated meeting was held on Thursday, the 14th instant, at three o'clock, P. M.; the Vice-President, Mr. RHODES, in the absence of the President, in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library since the last meeting.

The Cabinet-Keeper reported the following gifts: Bas-relief of Ebenezer Dorr (1739–1809), a ship merchant, whose vessels were engaged in the North-West-Coast and East India trade. In the Boston Town Records of 1770 to 1783 his name appears in thirty-four instances as a member of committees. The first instance was upon March 19, 1770, as one of a "Committee relative to tea." Bas-relief of Abigail Cunningham (1739–1798), wife of Ebenezer Dorr; bas-relief of President Charles W. Eliot, from Mr. Henry G. Dorr, who made them; photographs of portraits from Baldwin Coolidge, Frank W. Bayley, and the Worcester Art Museum; and a half-tone of George E. Littlefield, from Frederick J. Libbie. Also the following medals and store cards: the Massachusetts Society for the Prevention of Cruelty to Animals, from that society;, the Boston Latin School, from the Boston Latin School Association; a souvenir penny of Colorado Springs, from Mr. Charles F. Read; the 1905 Decennial Medal, Harvard College, from Winthrop C. Richmond; the Spee Club, Cambridge, from the Club. He also read the following letter from Governor John A. Andrew, given to the Society by Miss Hetty B. Williams, of Brookline:

Commonwealth of Massachusetts. Executive Department.

Boston, Sept. 10th, 1863.

John A. Andrew to Williams & Everett.

Gentlemen: — Your rooms are visited every day by multitudes of cultivated and refined Massachusetts women attracted by your displays of art. I send you with this note an iron yoke surmounted by three prongs, which was cut from the neck of a slave girl, nearly white, in New Orleans, who was liberated by military authority from a foul and narrow dungeon where in darkness and fear this poor child of sorrow had borne the double torture of confinement and of this painful instrument, for three weary months. She would have borne it indefinitely had not our arms delivered her, as they did many more, from her oppressors. Her offence, as it was stated by her mistress, was, that "*she runned away.*" An officer of Massachusetts Volunteers, whose letter I inclose to you, sent me this memento of a barbarism soon, I trust, to become wholly extinct. And I send it to you in the hope that you will permit it to be placed on exhibition for a few weeks in your rooms, where the sight of it and the story of the poor child who wore it may remind the mothers, wives and daughters, under whose eyes it may fall, of some of the good done by those whom they have sent from their firesides to encounter the hardships of war.[1] I am, Very Truly Yours,

John A. Andrew.

The Corresponding Secretary reported the receipt of a letter from Robert Grant, of Boston, accepting his election as a Resident Member of the Society.

[1] The *Boston Transcript* of September 14 contained the following notice:

"A Southern Necklace. A necklace of peculiar material and structure, sent from the South, may be seen at Williams & Everett's, Washington Street. It is of rough iron, weighs several pounds, is hinged at the back and locked in front, about four inches in diameter, made to fit the neck, with three uprights of iron, fitted in sockets at equal distances, and about one foot in height. It has an eye in the top of each, as if for passing a string through, and thus drawing the ends closer around the head. The implement was found by Capt. J. Tyler Reed of the 3d Massachusetts cavalry, during a search of suspected premises near New Orleans, upon the neck of a young girl of about 18 years, who had been confined in a hut about nine or ten feet square, for three months, by a tyrannical mistress, for the crimes of running away and of suspected favor for the Federal cause. Shut from the air and light in a heated and putrid atmosphere, with this implement of torture riveted about her neck, and corroding into her flesh, she was a pitiable object. She was taken to New Orleans, where the necklace was filed off, and the girl set free by military authority. The name of the woman who caused the unfortunate to be punished was Madame Coutrell, a French Creole, whose name has been frequently in print."

The George Peabody Wetmore Collection

The Editor reported the following gifts:

From Hon. GEORGE PEABODY WETMORE, the large and important collection of Lopez-Champlin manuscripts, more than three thousand in number. From this collection have been prepared two volumes of *Collections*, *Commerce of Rhode Island*, 1726–1800 (Seventh Series, IX and X), which indicate the extent and content of the papers and constitute the first really important publication of this nature on the history of colonial commerce. The reception given to the first volume by students of economic history proved the estimation accorded to it, and the second volume will be ready for distribution in November. The expense of publication has been generously borne by Mr. WETMORE. He has also presented to the Society the letters of Mrs. Jerome Bonaparte and of William M. Browne printed in this volume.[1]

From Mrs. Helen Bigelow Merriman, the patents, drawings and correspondence covering the inventions of her father, Erastus Brigham Bigelow, in the manufacture of cotton goods. However technical they may seem, they possess a true historical value, illustrating the development of one of the most distinctive industries of New England.

From Marian P. Motley, Anna Allan and Louisa P. Norman, daughters of Francis W. Palfrey, the plates and all interests of the five volumes of *History of New England*, by John Gorham Palfrey.

From Mrs. Charles H. Joy, a field book of surveys made in Ontario County, New York, by Joseph Annin and Benjamin Barton.

From Miss Agnes Blake Poor, an account book (1808–1849) kept by her grandfather, John Pierce.

From William K. Bixby, of St. Louis, manuscripts from his Jefferson collection.

From JUSTIN H. SMITH, a full transcript of the journal of Isaac Senter on Arnold's Canadian expedition.

George Parker Winship, of Cambridge, was elected a Resident Member of the Society.

Henry Osborn Taylor, of New York, was elected a Corresponding Member of the Society.

[1] Page 18, *infra*.

The Council think it expedient to make a slight amendment to the By-Laws, to drop from Article 5 of Chapter VIII the words "not members of the Society," relating to the Assistant Librarian. It is necessary to make this notification in order that the change may be made at the next meeting of the Society.

Mr. Rhodes spoke as follows:

Frederic Ward Putnam was chosen a member on November 9, 1882, and at the time of his death on August 14 stood ninth in seniority in the Resident roll. During his membership of nearly thirty-three years he had been present only at several meetings, and the Society received gifts from him; but one record of a communication, at the January meeting, 1886, is to be found. He was last present at a meeting of the Society in October, 1910.

Mr. Rhodes called upon Mr. Bowditch, who read the following tribute:

The most eminent American anthropologist now living has said that Professor Putnam was one of the three founders of modern anthropology in America, the other two being Dr. Brinton of Philadelphia and Major Powell of Washington, D. C. Professor Putnam's chief contribution to this result lay in his enthusiastic collecting of material facts which should form the basis of inductive studies. The collections of the Peabody Museum are a monument to his zealous work in this respect, arranged, as these collections are, by his great skill and that of his coadjutor, Mr. Willoughby, so as to present, both to the student and the public, a clear sequence of the progress of the American races, as shown by their handiwork and remains, and to enable a comparative study to be made of these remains in connection with those of the early races of other countries.

These collections have been built up not only by purchase, but by the promotion of expeditions over the northern and central parts of the western continent, and Professor Putnam has seen that these expeditions (often under his personal leadership) were conducted in the most scientific manner, recognizing the fact that no collection is of real value, unless accompanied by the most exact information in regard to every specimen. These expeditions have afforded an admirable example not

only of exactness and fulness in their conduct, but of the persistence with which such expeditions should be pursued. If a given site of an old Indian cemetery contained three hundred graves, an examination of one-half of the graves would not satisfy Professor Putnam, but every grave must be opened lest some useful or interesting fact should escape notice. He would not accept any excuse for want of thoroughness. His investigation in the Trenton valley gravels, carried on for many years by Dr. Volk, and still going on, in order to determine the question of the early existence of man on this continent, is a case in point.

It was these research expeditions, his wide acquaintance with scientific men and his remarkable Museum work that caused Professor Putnam's services to be sought after outside of Cambridge. The Chicago Exposition of 1893 asked for and received his services, and the wonderful display made in the anthropological department of that Exposition was due to his wide knowledge, his great skill as an organizer and to his wise selection of subordinates, who conducted expeditions to many parts of the world. The American Museum of Natural History in New York secured his aid as the Curator of Anthropology for nine years, and the University of California had the benefit of his services for six years as Professor of Anthropology and Director of its anthropological museum.

Not only did Professor Putnam's work extend as above to other institutions than Harvard College, but his influence had a wide range through the training which was given in the Peabody Museum to the students who came there and who now occupy the leading anthropological positions in this country. Dixon and Tozzer in Harvard, Dorsey of the Field Museum in Chicago, Saville of Columbia University and of the Heye Museum in New York, Spinden and Goddard of the American Museum of Natural History in New York, Barrett of the Museum in Milwaukee, Kroeber of the University of California, Gordon and Farabee of the University of Pennsylvania, Swanton of the United States Ethnological Bureau, Morley of the Carnegie Institution — all spent more or less time under Professor Putnam at the Peabody Museum and many of them took their degrees of Doctor of Philosophy in Anthropology there.

Professor Putnam's publications were many. Including his annual reports in his various official capacities, they numbered over four hundred, and the subjects were as various as were the many offices which he held. In zoölogy he was an assistant in ichthyology in the University Museum at Cambridge for nine years and was Commissioner of Inland Fisheries of Massachusetts for seven years. He was also engaged for four years in the United States Geological Survey of Kentucky and in the survey west of the one hundredth meridian.

He was a member of forty learned societies, among which were the National Academy of Sciences, the American Academy, the Royal Society of Edinburgh and many foreign societies. He was also a member of the French Legion of Honor.

The conferring of an honorary degree on Professor Putnam by Harvard College would have been a gracious recognition of his worth, for it was in Cambridge that he exercised a very potent influence on anthropological studies. Indeed, anthropological studies were hardly known here thirty years ago, and it was only after a long period of hard labor that Professor Putnam finally obtained from a reluctant faculty and officers the recognition of anthropology as one of the departments of the University.

Professor Putnam held no degree from Harvard, except that of Bachelor of Science in 1862, though Williams gave him an Honorary A.M. in 1868 and the University of Pennsylvania an S.D. degree in 1894. An honorary degree from Oxford, England, was awaiting him in 1912 if he had been able to attend the annual meeting of the International Society of Americanists in that year at London. He was elected an honorary member of the Harvard chapter of the Phi Beta Kappa Society in 1892.

It is pleasant to recall, however, the memorable occasion of the dinner which was given to Professor Putnam on his seventieth birthday. At this dinner a memorial volume, containing articles written for the occasion by most of the living American anthropologists, was presented to him and kind words were spoken by Mr. Eliot and Mr. Lowell, which showed that, in their opinions, Professor Putnam had honored Harvard by the results of his life-long devotion.

Mr. Rhodes then said:

John Davis Long was chosen a Resident Member on January 12, 1905, and his record of attendance shows only an occasional absence. At the time of his death on August 28 he had risen to the fiftieth member in seniority. He was deeply interested in the welfare of the Society and made several contributions to its *Proceedings*. Beside his tributes to Judge James M. Barker, Solomon Lincoln, Alfred T. Mahan, Curtis Guild and our late President, Mr. Adams, as well as his memoirs of Judge Barker and Mr. Lincoln, he contributed four papers: "On a Reference to W. H. Seward in Carl Schurz's *Reminiscences*";[1] "Reminiscences of my Seventy Years' Education";[2] "General Robert E. Lee";[3] and on "The Civil War."[4] During the last four years Governor Long presided at a number of meetings in the absence of Mr. Adams, and at the February meeting, 1914, was elected a Vice-President to fill the vacancy caused by the resignation of Dr. Green. He was a member of the Council from April, 1909, to April, 1911, when he made its annual report to the Society and served on important committees. The Library was the recipient of several valuable gifts through his interest.

Governor Long was a welcome member of the Council. It was Mr. Adams' custom to get the members together at dinner, but during the actual dinner the business of the Society was rarely referred to. Governor Long was a genial man on such an occasion. He was a good converser and his wit was always well placed.

He was an excellent presiding officer and had the faculty of making the meetings go. Witty in his allusions, he was apt in his classical references, which could not fail to bring to our minds the Democratic story that he was pushed for governor or congressman because he had translated the Aeneid. He had the gift of appropriate extemporaneous remarks, which he eminently showed in speaking of General Chamberlain's connection with our Civil War.

Mr. Lord gave an appreciation of Mr. Long as a man in public and private life, and related some of his characteristic utterances to illustrate his position in the public eye.

[1] *Proceedings*, XLI. 33.
[2] *Ib.*, XLII. 348.
[3] *Ib.*, XLIV. 592.
[4] *Ib.*, XLVI. 175.

Mr. Thayer followed:

I am asked to say something about Governor Long's connection with Harvard College, a connection which lasted during more than sixty years.

Many of the members here present will recall the delightful bit of autobiography which he read to us at our June meeting in 1909. In it he recorded the smattering of education, as it would now be reckoned, which he received at home and at the academy of Hebron, Maine. He was evidently one of those bookish boys, quick at his studies, whose parents early mark out for them a college career. He does not tell us how he came to be sent to Harvard rather than to the nearer Bowdoin College at Brunswick. What he found at Cambridge and how far Harvard influenced him will appear from the following quotation, taken from the reminiscences I have just referred to:

> The result of my few terms at Hebron Academy was that I entered Harvard College in 1853, at fourteen years of age. . . . I look back upon my college education with less satisfaction than any other part of my life. I was not thoroughly fitted. I was too young. The mistake was made, with a well-meant but mistaken view of saving me from the "dangers of college life," of boarding me for the first two or three years a mile away from the college — as if there were any dangers or, if there were, as if the best part of a college education was not to get the rub of them. Hence it happened that I then formed no personal association with my classmates, and always felt remote and as if I presented the picture of a forlorn little fellow who ought to have been at home. To this day I have never got over an awe of them that I have never had of anybody else. . . . I recollect no instruction which was not of the most perfunctory and indifferent sort, unless possibly it was that of Professor Cooke in chemistry and Professor Child in English. The only impression made on me by one professor was that of a pair of staring spectacles and an immovable upper lip, and by another of a throaty growl in his Sophoclean larynx. There was an entire lack, to me, of all moral or personal influences. I look back with a certain pathetic commiseration on myself, unwarmed for the whole four years by a single act or word expressive of interest on the part of those to whom my education was intrusted. And this is literally true. The element of personal influence was entirely lacking. No instructor or officer ever gave me a pat on the shoulder physically, morally, or intellectually.

We need not be surprised that Long, conscious of his great shyness, his youth and his remoteness from undergraduate life, did not figure in college societies, except in Phi Beta Kappa, to which his excellent scholarship admitted him. It is quite evident also that after leaving Harvard and taking up the practice of law, he was thrown less with Harvard acquaintances than with others. The mingling of politics and law, which came about very naturally, tended also to bring him into association with all sorts of men. So far as I discover, his first public recognition by Harvard was in 1880, when the University conferred upon him the honorary degree of Doctor of Laws, a distinction which then was bestowed upon each governor of Massachusetts, irrespective of his previous condition or of his intellectual or moral attainments. It happened, however, that the next governor was General Benjamin F. Butler, and that the Harvard Governing Boards seized the occasion for abolishing the *ex officio* honor. About that time Mr. Long was a candidate for the Harvard Board of Overseers, but was defeated, probably because the Harvard electorate then regarded him as belonging rather conspicuously to the class, held in suspicion by the fastidious, of so-called "practical politicians."

But the Governor's time of vindication — if the word be not too severe — came. From 1897 to 1902 he served as Secretary of the Navy, and in the last year having been chosen president of the Harvard Alumni Association, he presided at the historic commencement dinner, when President Roosevelt and Secretary Hay spoke. At the election for Overseers on that day he led the poll. On organizing in the following September, the Board made him its president, a most unusual mark of confidence, because a new member is seldom thought of for that office. During the ensuing eleven years Governor Long was annually reëlected, without opposition, as president. On the completion of his first term of six years as Overseer, he was immediately reëlected, being nominated by certificate, in spite of the fact that a new rule required a year's intermission between one term and another of an Overseer.

Governor Long not only fulfilled admirably the duties of president, but he took an active part as a member of committees, and he displayed much zeal and affection for the *Alma Mater* whom he had regarded as an unsympathetic stepmother

half a century before. His ability as a presiding officer can hardly be overrated. As Speaker of the Massachusetts House of Representatives in the late seventies, he learned the rules which pertain to that office so thoroughly that he was never surprised or puzzled by the springing up of a technical point. He directed an ordinary business meeting with businesslike precision and despatch, guarding against unnecessary talk, keeping the members to the subject under discussion and applying the rules without favor. He was dignified but always courteous, so that although he allowed little time to be wasted, he never failed in good humor; and if there came a moment of tension, he relieved it by some good-natured remark. As President of the Board of Overseers it fell to Governor Long to induct Abbott Lawrence Lowell into the office of President of Harvard College, a duty which he performed with memorable impressiveness.

When his class celebrated their semi-centennial in 1907 the survivors inevitably selected Governor Long to be their spokesman, and he made the best of the thirty or more valedictories which I have heard or read, a model of its kind, as these opening paragraphs will show:

> I should be happy to speak for my classmates if I knew where they are. I left them — it was only yesterday — clustered in the College Yard, a merry, brown-haired, beardless crowd of boys, with a college song on their lips and the sunrise on their faces. But all this forenoon I have been looking for them and can find only a half-dozen, and even these have disguised themselves as Rip Van Winkles in the last act of that play. I am told that some of them are off to the war risking life for union and freedom; that some of them are sawing the air in pulpit or court or forum, and that others are reaching up to make their mark in letters or the professions or the industrial and business world.
>
> I cannot find them. I am sure, however, that they are all here, a few with their shields, though the rest are on them — all here or accounted for, ready, while their *Alma Mater* calls the roll, to lay their record in her lap and hoping to receive on their heads the pat of her benignant hand. Time would fail me to do justice to the record of each of them; it would be invidious to speak of some of them and not of all. They have done the best they could.[1]

[1] Printed in full in the *Harvard Graduates Magazine*, September, 1907.

Another Harvard distinction brightened the Indian summer of his career, in which he enjoyed to the full,

> That which should accompany old age,
> As honor, love, obedience, troops of friends,

was the presidency of Phi Beta Kappa. He excelled alike in introducing the orator and poet on the stage of Sanders Theatre, and in serving as toastmaster at the dinner in the Harvard Union. His wit sharpened the wits of those whom he called up. He was indeed an ideal toastmaster, adapting himself perfectly to the needs of different occasions, and quite unrivalled, as far as my personal observation goes, among the Massachusetts public men of the last twenty years.

He had the satisfaction — and I believe that he greatly prized it — of finding himself looked up to and appreciated by the Harvard constituency as one of the chief worthies of his generation, a graduate whose life work it crowned with the highest honors it can give.

Mr. RHODES spoke of the late Samuel Savage Shaw, elected a Resident Member of the Society on March 12, 1903, who died at his home, 49 Mt. Vernon Street, Boston, on September 24, in the eighty-second year of his age. During his membership he was present at more than two-thirds of the meetings, and also showed his interest by making gifts of MSS. and colonial newspapers, including some papers of his father, Lemuel Shaw, and of Samuel Phillips Savage, which have been valuable additions to the Society's collection. He wrote the memoirs of Henry Stedman Nourse,[1] of Uriel Haskell Crocker[2] and of Henry Gardner Denny.[3]

He served on several committees, and was a member of the House Committee from 1907 to 1914. He was chosen a member of the Council in April, 1906, and in 1908 at the close of his term submitted its report to the Society.[4] His last attendance was at the June meeting, 1913.

Among the papers of Chief Justice Shaw are threatening letters sent to him at the time he presided at the trial of Professor Webster for the murder of Parkman. I wish our old associate John Fiske were here to tell with his usual gusto

[1] 2 *Proceedings*, XVIII. 292.
[2] *Ib.*, XIX. 554.
[3] *Ib.*, XLI. 310.
[4] *Ib.*, XLI. 412.

one of his stories. "An English gentleman remarked to an American: 'What a giant intellect that Webster of yours had! To think of so great an orator and statesman writing that dictionary! But I felt sure that one who towered so much above his fellows would come to a bad end and I was not a bit surprised to learn that he had been hanged for the murder of Dr. Parkman.'"

Owing to the absence of Mr. Rantoul the following tribute, prepared by him, was read by Mr. Waters:

Samuel Savage Shaw (H. U. '53) was the youngest child of Lemuel Shaw (H. U. 1800) and of his second wife, Hope Savage Shaw. The mother was a daughter of Dr. Samuel Savage of Barnstable. She married in 1827, and had borne to her husband, before he became Chief Justice of Massachusetts, a son, Lemuel (H. U. '49). The judge had married, in 1818, Eliza, a daughter of Josiah Knapp, a Boston merchant, and she had borne him a son, Oakes, and a daughter who became the wife of Herman Melville. Judge Shaw's father (H. U. 1758) and his grandfather (H. U. 1729) were South Shore clergymen, the latter of whom had four sons graduated at Harvard, and all in the pulpit. The judge's father — the Reverend Oakes Shaw — was settled at Barnstable between 1760 and 1807. The judge's mother was a sister of Dr. Lemuel Hayward (H. U. 1768), of Braintree. The judge was born at Barnstable in 1781. The house in which he was born, and the meeting-house in which his father preached, are still standing. William Smith Shaw (H. U. 1798), whose aunt married John Adams, was Judge Shaw's cousin. The judge entered Harvard at fifteen.

No Chief Justice of Massachusetts, except Parsons, would be named as taking rank with Shaw, and it is likely that the verdict of the future will rank Shaw first. His decisions fill a large space in fifty of the two hundred and nineteen volumes of Massachusetts Reports. He was placed, in 1830, without judicial training, at the head of the Massachusetts Bench, by Governor Lincoln, who while a judge had presided at the trial of causes in which Shaw appeared as counsel. He had also been associated with Lincoln in the impeachment trial of Judge Prescott, which was conducted before a special session of the legislature of 1821, Lincoln being a state senator and one of

the prosecutors and Shaw arguing the articles of impeachment in behalf of the House, against Daniel Webster, who was for the defence. In 1830 persuasion was found needful to induce Shaw to accept the elevation proposed to him, for he was already building up a most lucrative and distinguished practice, and to become, at his age, Chief Justice of Massachusetts was to doom himself to a life of hard labor coupled with limited remuneration. Strong words from Webster are said to have tipped the balance.

The Chief Justice quit the bench at the age of eighty, after a thirty years' term of active service, and died within the year. He was the consummate product of New England citizenship. No feature was lacking which could grace so monumental a figure. He was of the Corporation of Harvard for twenty-seven consecutive years, and to see him, year after year, at the commencement dinner, lead off the singing of "Give Ear! Ye Children!" was something not to be forgotten. He was conspicuous in the Massachusetts Constitutional Convention of 1820. He drafted, in 1822, the charter which made Boston a city, and the Memorial to Congress of the New England Manufacturers when, in 1829, they had begun to fear that too much protection would tempt small capitalists into the business, to the detriment of those who had ventured largely already. When raised from the bar to be Chief Justice of the Commonwealth, he had served a course of training in the School of Free Government, the most complete and exhaustive. At the age of nineteen he had passed through Harvard with credit, and at twenty-three had been admitted to the bar. He had been master of a district school. In Boston he had been an usher in a grammar school, a fire warden, a selectman, a school committee man, a state representative and senator, and orator on the Fourth of July. He had helped edit the *Gazette*. And, when on the bench, he stamped his sign-manual upon the settlement of the differences arising between the Unitarians and the denominations from which they withdrew, upon the Charlestown Convent Riot cases of 1834, upon the Journeymen Bootmakers' case of 1840, upon the Sims Extradition case of 1850 and upon the case of the Commonwealth *vs.* Alger in 1851. He presided at the trial of Dr. Webster.

Samuel Savage Shaw was the child of his mature years.

Born at Boston, October 16, 1833, the boy had been taught at infant-schools, one of them kept at the corner of Botolph and Myrtle streets and one at the corner of Hancock and Derne streets, both houses, as he lived to see, wiped out of being by the building of the Beacon Hill reservoir, which in its turn gave way to the rear extension of the State House. He was born in a house standing at the top of Beacon Hill, just south of the cross street named for the founder of this Society, Belknap Street, in which his father had succeeded Stephen Higginson by purchase, two years before. It was a narrow, brick house, with its end on Sumner, formerly Olive, and now Mount Vernon Street, having an entrance on the southerly side, and being approached by a paved carriageway leading to a stable in the rear. This carriageway the judge built over, thus extending the width of his dwelling by one-third, and acquiring an entrance on the street, an ample hall, a commodious dining room and much needed working rooms and chambers above stairs.

Shaw was a precocious child, having begun to fit himself for a Harvard course at the age of eleven. His mother was one of the most delightful of women. Growing up with such a parentage and in the midst of such surroundings, it would have been strange had he not shown marked traits of character and mind. After five years at the Latin School he entered college in 1849, and was graduated, in course, at the age of twenty, a studious youth with strong leanings toward literature and art. At Harvard he was a "Hasty Pudding" man, and an editor and orator of that fraternity. Alone in Massachusetts Hall two years, his piano was his congenial room-mate. He was at the Dane Law School from 1853 to 1855. After a term in the office of Sidney Bartlett, who had been a student with, and later a partner of, his father, he was admitted to the Suffolk bar in 1856.

Equipped with such rare letters of introduction as his father could furnish him — the judge was known and esteemed wherever reverence was felt for English law — he spent the next two years in Europe, travelling through England, Scotland, Belgium, Holland, the Rhine valley, and visiting Berlin, Dresden, Vienna, Genoa, Naples, Rome, meanwhile enjoying to the full the opportunities of theatre and opera and orchestral music, of which he was very fond, and devoting his spare

moments to the continental languages and literatures, where he was already much at home. In Berlin he met, at the residence of George Ticknor of Boston, Alexander von Humboldt.

On his return he began professional life, in 1858, at the Old State House and in Court Street, sharing rooms for eight years with his close and valued friend, Edward Ellerton Pratt. Following the exodus of the bar to Pemberton Square, he moved there in 1868, and thence, after eight more years, to Milk Street, where he spent the last ten years of his law practice as a roommate of Henry H. Sprague and the Brothers Crocker. He rarely appeared in court. His business life was mainly taken up with conveyancing, the searching of titles and the care of trust estates, some of which trusts he inherited from his brother Lemuel, who died in 1884. Some of his trusts presented features of general interest. He was executor or trustee in the estates of William Sturgis and of Henry P. Kidder. Adelaide Phillips was a contemporary, and in his callow days, when he sat in the square gallery-pew occupied by the Chief Justice, on the right hand of Dr. Young's pulpit at Church Green, Miss Phillips sang the contralto parts in the choir on Sundays and played juvenile rôles during the week at the Boston Museum, which was then just built. Jenny Lind helped her to go abroad, where she developed a rare voice and good dramatic powers, and she returned to an operatic career in America. She was devoted to her aged mother, and largely for her sake accumulated a property which, as trustees, the Brothers Shaw administered.

He was a director of the Rockport Granite Company. He was a trustee and secretary of the Boston Library Society, in which he felt an interest that never waned. The liberal donation made to it in his will bore testimony to the debt he owed to books for his enjoyment of life, and of this his own choice collection was no doubtful witness. He was, from March, 1903, a Resident Member of the Massachusetts Historical Society. He was an early member and constant frequenter of the Union Club. He had crossed the Atlantic a great many times, and, if we except the tour of India, China and the Far East, which he projected in his declining years but found himself unable to accomplish, he might fairly be said to have visited

every section of the world which it is held especially desirable to see.

The subject of this notice had been a favorite actor in "Hasty Pudding" days and, on one occasion, while at the Law School, enacted the leading part in a play called "Sketches in India," which was presented at the historic mansion of Governor Hutchinson at Milton, then the residence of the well-known Russell family. This performance was given before a distinguished gathering, counting among them Charles Sumner, Richard H. Dana and Franklin Haven, and in it also appeared a daughter of Dr. Samuel Kirkland Lothrop, afterwards the wife of Dr. Charles Dudley Homans, and a daughter of Dr. William Parsons Lunt, afterwards the wife of Colonel Paul Joseph Revere.

Shaw was, until two years ago, when failing health deprived him of the resource, a constant and interested attendant on the gatherings of this Society, and enjoyed its honors, having been of the House Committee from 1907, for seven years, and having submitted the report of the Council for 1908 at the close of his service in that board. He made frequent gifts of manuscripts, of colonial newspapers and of papers derived from the accumulations of his father's estate. He gave the Society a walking-stick of oak, made from timber of the Frigate *Constitution*, and presented to the Chief Justice by his friend, Captain John Percival, the "Fighting Jack" of the navy. His contribution of papers derived from the estate of Samuel Phillips Savage has been particularly prized as furnishing material for the *Proceedings*. Besides a letter submitted for printing, in 1904, written by Henry Phillips, just after the Woodbridge-Phillips duel, to his mother, Shaw contributed, at sundry times, memoirs of his classmates, Nourse and Crocker, and of his close friend and co-worker in the Boston Library Society, Henry G. Denny, the lifelong secretary of the Harvard Class of 1852.

In 1863 Shaw became the secretary of his class and filled the place with great acceptance for fifty years and more. The sketches of class members prepared by him, from time to time, on their decease, and printed in the *Advertiser* or in the *Transcript*, were models of discrimination and good taste. Not every class is blessed with the devotion of a member who joins

so fine a sense of fellowship with so nice a choice of phrase. His class-dinners were unique occasions. As a homely necessity, finely met, becomes a thing of beauty — "makes drudgery divine" —

> Who sweeps a room, as for God's laws,
> Makes that and th' action fine! —

as Mr. Emerson applauded Mr. Forbes for his carving, as Dumas took pride in being reckoned the first cook in Paris, as Shaw says in his memoir of Denny, "He enjoyed the arrangement of dinners . . . excelled in dinner-giving himself . . . and was learned in the literature of the cuisine," so it may be claimed for Shaw that he raised the class-dinner quite above the plane of grossness to the level of a fine art. If the ill fortune had befallen a classmate to have made himself obnoxious in any way, the class secretary saw to it that he was seated near himself, so that he might be assured of good usage and inclined to come again. Shaw was there not primarily for his own enjoyment, but to insure the enjoyment of the rest.

He died, unmarried, September 24, 1915, in the house in which he had been born, a house in which the most attractive and devoted of mothers had moulded his fine spirit, a house which had witnessed the accomplishment, day by day, of the great Chief Justice's monumental work.

Dr. GREEN exhibited an ancient parchment given by Harvard College to George Alcock (1655–1677), which came down to him among his family papers, and which he intends to give to the College Library. Mr. Alcock was a graduate in the class of 1673; and the family name now is usually written "Alcott." The document reads as follows:[1]

Per integrum illud tempus (viz) septennium quo apud nos coñoratus est GEORGIUS ALCOCK Collegij Harvardini Cantabrigiæ, in Novâ-Angliâ alumnus, et in artibus liberalibus BACCALAUREUS, bonarum literarum studijs vitæ probitatem adjunxit; adeo ut nobis spem amplam fecerit se in Ecclesiæ et Reipublicæ coñodum victurum: QUAPROPTER hoc de illo

[1] The document is printed in Sibley, *Harvard Graduates*, II. 420, where a sketch of Alcock appears.

Testimonium omnibus quorum interesse possit perhibemus Nos quorum nomina Subscripta sunt.

Urianus Oakes, *Praeses.*

Daniel Gookin. }
Ammi-Ruhamah Corlett. } *Socii.*
Petrus Thacherus. }

Datum Coll: Harvard: Cantab:
in Nov.-Angliâ April 19°: 1676:

Mr. J. H. Smith exhibited some exceedingly rare documents relating to the Mexican War, which he described.

Mr. Wetmore's gift to the Society was the following two letters:

Elizabeth Bonaparte to William Patterson.

Cheltenham, Sep'r 2, 1815.

Dear Sir, — I perceive with much regret by your letters respecting me to Persons of this Country that you announce to them that I *conceived* myself ill and had embarked contrary to the wishes of my Friends.

I shall answer categorically these two accusations, and answer them without temper. The Physicians of England are willing to give a Certificate of their opinion that there is an accumulation of Bile on my Liver which would have killed me, or produced the last stage of Hypochondria in three months had I not gone to sea and tried change of climate. They will likewise state that if the disease does not yeild to a course of mercury or the waters of this place it will fall on the Lungs and terminate my life. As to leaving America, without the Consent of my Friends. It appears to me that, if *indeed, I have Friends there,* they would have wished me to come to a Country where I am cherished, visited, respected and admired. It appears to me, that if I have *Friends* in America, their Friendship might have been shewn in some more agreeable mode than finding fault with me for being miserable in a Country where I never was appreciated and where I never can be contented.[1] It appears to me natural too that, if I have Friends in America, which I have, I reluctantly confess, sometimes doubted, that their pride might be gratified in hearing that I am in the first society in Europe: and that too for my personal merits — for without vanity I may say so; since I have neither rank, fortune, nor Friends of my own, willing to assist or protect me. I acknowledge that the standing I possess

[1] *Proceedings*, xlvii. 303, 484*n*.

in this Country is highly flattering and that it is not surprising I should prefer People of rank and Distinction who are willing to notice me — their attentions are very gratuitous for I am a very poor Stranger and a very unfortunate one on many accounts. My misfortunes and the declining state of my health have excited more interest here than in my own Country and have been a Passport to the Favour of the Great, my talents and manners are likely to preserve their good opinion. What you have written of me to Europe will have very bad effects. Either People will wonder you should not wish my health restored and that you should not be pleased at knowing me in the first Society, or they will conclude me to be a Hippocrite and disobedient Child who has bribed medical men to say my life is in danger. There is likewise another effect likely to result from your writing such things of me, which is this. Every one who knows me, has heard that your Wealth is enormous and consequently they think I shall have a large Fortune from you — in Europe a handsome Woman who is likely to have a Fortune may marry well, but if it gets about that her Parents are dissatisfied with her they will think she will get nothing by them and if she had the Beauty of Venus and the talents of Minerva, no one will marry her. People here are not such Fools as to marry poor Beauties however much they may admire them. The reputation of your Fortune would be a great advantage to me abroad and I am sure you cannot object to my having the honor of it, provided you keep the Substance. I beg that whatever you may *think*, you will *say* nothing and especially *write* nothing about me — unless it be something likely to advance me. The power of riches here is great and your Money I assure you would if you say nothing more about me or your not liking my absence, be of great use to me. I mean *only* the *reputation* of it, for alas! the substance is not mine. I get on extremely well and I assure you that altho' you have always taken me for a Fool, it is not my character here. In America I appeared more simple than I am, because I was completely out of my element — it was my misfortune not my Fault that I was born in a Country which was not congenial to my desires. Here I am completely in my Sphere, (money excepted), and in contact with modes of life for which Nature intended me. The ambition of my character made me wretched amidst scenes where it could only be disappointed, here it might be satisfied. I have taken a house beside and under the protection of my amiable Friends Sir Arthur and Lady Brooke Falkener. The Family with whom I came over remain at a Boarding House. Many persons of rank advised me to remove as People of Fashion never live in Boarding Houses. Every thing

you write to McElhiney he will tell, to give himself a consequence in being connected with us. In this Country distinctions in society are so much attended to, that connections with people who are not known, however honest and respectable they may be, are not tolerated. He is a well-meaning man but entirely unfit for your confidence — only proper to be written to on Business, since there is no danger of his bragging of that. I feel convinced that your own good judgment will properly appreciate my motives in writing this letter and that it is not a motive of vanity which dictates what I tell you. Your own Pride must be interested in having me the object of public esteem and your interest is to have me placed in an elevated situation. As to the opinions of old Mr. Gilmor and other very respectable and worthy Persons, that I ought to be in Baltimore they only tell you so, because they know that their Daughters might come here and never be known. Besides they are envious of your Fortune and my situation. Look how they run after the poorest sprigs of Nobility and then you will know what they think of my standing in Europe. I am surprized you do not perceive the advantages of my Position compared with that of the daughters of other People in Baltimore and that you permit the chattering of envious People to influence you. You well know that the wealth of our Family and the consequence which from many circumstances we possess, must be very disagreeable to others in every respect. If People do not approbate my conduct in America, what is the reason they paid me so much attention? Ask George what I was in New York? What other American woman was ever attended to as I have been there? Who ever had better offers? I never would marry without *rank* or God knows I might have got money enough by marriage. My child too, your Grand Son, would be of more consequence here than the Wives and whole generations of American Quality. They know it well which is the reason they owe me a grudge, and they try to put mischief in your head upon that account. They are afraid of your supporting me in a rank and of your sending my Child where he will be in one which all their Government Stock, Insurance Stock and real Property could never put them. Let them come and try which is of most consequence they or me. I confess that it would have been perhaps a blessing if I could have vegetated as the Wife of some respectable Man in Business, but you know that Nature never intended me for obscurity, and that with my disposition and character I am better as I am. Adieu my Dear Sir I am going to dress for a Ball at Lady Candagues and am then obliged to go to one at Gen'l Irwin's. I expect the Americans in Europe who cannot go out will write lies about those who

can. I beg this letter may not be shown to Robert, as he never keeps any thing to himself, and that you will consider the impropriety of writing any thing except what will produce a good effect in this Country. All my conduct is calculated, but you will undo the effect of my prudence if you write to certain people, who shew your letters. Let people think you are proud of me, which indeed you have good reason to be as I am very prudent and wise.

ELIZABETH BONAPARTE.

She returned to the United States in 1816, but found it so uncongenial that she was again in Europe in May of the next year. Glimpses of her are to be seen in the *Diary of James Gallatin*. Among them may be noted this, written August 11, 1816, when she came to Paris on her way to America: "Madame Patterson Bonaparte arrived this morning from Geneva. Her baggage nearly filled the antechamber. She is very lovely, but hard in expression and manner. I don't think she has much heart. Her son seems to be her one thought. She had a very long talk with father about his future (her son's); she is most ambitious for him. She even has a list of the different princesses who will be available for him to marry: as he is only ten years old, it is looking far ahead."

PARIS 10th July [1815?]

D'r Sir, enclosed are two letters one for Miss Spear and one for Bo. My letters by the Galatins are no doubt rec'd by this time, as well as others written since. I shall write when I want farther remittances which will certainly not be for a year or more. The Money I wrote to you I have rec'd has been the reason of my having no occasion for farther remittances.

[Addressed,] William Patterson Esqr., No. 20. South Street, Baltimore, United S'ts of America. [Postmarked,] New-York Aug. 25. [Memorandum,] Ans'd 15th Sept., Betsy Paris 10 July.[1]

WILLIAM M. BROWNE TO WILMOT G. DE SAUSSURE.

Confidential. RICHMOND, June 18, 1861.

MY DEAR SIR: — In my telegram of yesterday, I promised to write you fully in relation to Mr. Hurlbut [2] in connection with whom

[1] This note is written on the back of an envelope, and is without year of writing. The Gallatins returned to the United States in 1815.

[2] William Henry Hurlbut (1827–1895) had a varied career, and one of the principal incidents was his detention by the Confederate authorities as a

my name had been so disagreeably mixed up. I do so in justice to myself and to you, in order that whatever action you may take in regard to him may be based on a full knowledge of the facts.

Five or six years ago when I was Editor of the *N. Y. Journal of Commerce*, I made the acquaintance at the Press Club of Mr. Hurlbut, then, I believe, engaged as literary Editor of *Putnam's Magazine*. From my avocations and political associations, I had very little intercourse with him, beyond meeting him occasionally at the monthly dinners of the Club. During the last Presidential canvass, indeed prior to the meeting of the Democratic Convention, while I was Editor and Proprietor of the *Constitution* at Washington, I learned that Mr. Hurlbut, then Editor of the *N. Y. Times*, had become fully convinced of the errors of black republicanism, had resolved to abjure that political creed, and become a democrat. I was fully aware of Mr. Hurlbut's antecedents and political sins, but was assured by friends on whom I placed full reliance, staunch Southern men, that Mr. Hurlbut's conversion was sincere and complete, and that he was anxious to atone for his past offenses. I *know* that Mr. Hurlbut endeavored so far as he could to make the *Times* oppose the black republican party, and failing in that, to make it neutral; and that when on the return of Mr. Raymond from Europe he found that the paper was to support Mr. Lincoln's candidacy, he resigned his position as Editor which was very lucrative, and devoted all his energies and ability to the service of the States' Rights Democratic Party. I know this from personal observation and from the information of most trusty and faithful friends. I know that it is mainly owing to Mr. Hurlbut's letters (public and private) to the *London Times* that we are to attribute the present friendly course of that journal in relation to the Confederate States, and it is due to justice to add that, together with others now occupying positions of trust in the Government of the Confederate States, I believe in the sincerity of Mr. Hurlbut and in his anxiety by faithful service, to wipe out as far as possible his past record. I was led to believe that Mr. Hurlbut had several connections in Charleston with whom he was in communication who confided in him, and who invited him to reside in that city and write for the press. I was also informed that he was in confidential intercourse with leading men in South Carolina; and, though I never wrote or spoke to Mr. Hurlbut in any way that I should object to being published, I regarded him since the election of Lincoln,

"suspect." The official papers, in his case, with the exception of the letter now printed, are in *War Records*, Series ii., II. 1490. He changed the spelling of his name to Hurlbert.

as an earnest friend of the Southern cause, and replied to the three or four letters which he wrote me, but did not direct any of them to Charleston, save one, which was sent under cover to a person there to be forwarded.

When Mr. Hurlbut arrived in Richmond on the 8th instant, he called on me, but I did not see him. On the next morning I received a note from him stating that he had arrived and was bearer of news to the Government from leading men, friends of mine in Maryland. I saw him on the same day, and during our interview, Mr. Benjamin, the Attorney General, who shares my opinions in regard to him, was present. On the next day I found from letters addressed to the President by persons here, and from other sources, that Mr. Hurlbut was suspected of being a spy on account of his antecedents, not from any other cause. I knew that it was impossible for him or those who trusted him, however high their position, to remove these suspicions, and as he said he intended to visit Charleston, with the knowledge of my friends in office, I advised him to leave Richmond at once and go to Charleston where he said he would be secure against suspicion. He left, I believe on Tuesday the 11th instant, for Charleston, but I did not give him any safe conduct of the State Department, nor did I authorize him to refer to me in any way.

I have given you a full and faithful detail of my knowledge of, intercourse with, and views in relation to Mr. Hurlbut. If he is false — if he has not abandoned the North and the Northern enemies of the South, I and others have been grossly deceived. I know the difficulty he must encounter in getting over the natural suspicion and indignation which his past course must occasion, and for that reason, having faith in his sincerity, I would desire to smoothen his path.

I do not attempt to advise you as to the manner in which you should deal with him, being assured that your course will be dictated by justice and the good of the country.

I have the honor to be, Sir, Your very faithful servant,

WM. M. BROWNE.

HON. WILMOT G. DE SAUSSURE, SEC. OF THE TREASURY.

Memorandum,
Wm. M. Browne, Esq'r, Asst. Secy. State C. S. A. 18 June, 1861. Ans'd.

Mr. FORD communicated the following

SMIBERT-MOFFATT LETTERS:

The following letters from or relating to John Smibert are drawn from three sources, the British Museum, Mr. Charles

Henry Hart and the Chamberlain MSS. in the Public Library of the City of Boston. Those obtained from the British Museum were sent to the Society by Professor Guernsey Jones, in connection with the Copley-Pelham letters, but were laid aside as not immediately germane to the volume of collections in which the Copley-Pelham material was used.

In the Vertue Papers Professor Jones also found a crude sketch of an unfinished painting by Smibert — a group of the "Vertuosi" — in which Smibert himself was represented. The painting has been lost, a diligent inquiry in this country and abroad offering no clue to its history or present location. In the hope that so interesting a painting may yet be found and identified, the Vertue sketch is reproduced.

While making the search for this painting I found the following item in the catalogue of the Strawberry Hill collections:

> A folio tract in manuscript, called The Virtuosi, or St. Luke's Club, held at the Rose Tavern, first established by Sir Anthony Vandyck, with the autographs of all the eminent artists of the day. This manuscript evidently shows the first commencement of the Arts Union, and is very curious. Lot 120, Sixth Day's Sale.

This manuscript was purchased at the sale for £9.9 by Lewis Pocock, who had been active in founding the Art Union of London in 1837. He had evidently been attracted by the description in the catalogue, one of those general statements which mislead the incautious collector. That he obtained a prize can hardly be doubted, but he appears to have kept the document to himself. Ten years later, in 1852, J. H. A., in *Notes and Queries* (1st Series, v. 487), inquired what had become of it, and gave a few extracts, one of which proved that the record covered as early a time as 1698, but no further date is given. A brief account of Pocock is to be found in the *Dictionary of National Biography*. An art amateur, he acted for many years as an "honorary Secretary" of the Art Union of London, an organization which handled some $70,000 a year and dispensed its favors and prizes in a manner to attract the attention of the Law Officers of the Crown; but it continued more or less active until 1913, when all trace of it disappeared. Pocock is described as an eager collector of "Johnsoniana" and his collection was sold at auction in London, in 1875. He lived until 1882.

The special interest to us in this MS. of The Virtuosi lies in the possibility of its containing some entries concerning Smibert. He was certainly a member of a coterie of artists of that name; but The Virtuosi, or St. Luke's Club, of Van Dyck, may have been a different coterie from the club of Vertuosi, or a "group of Rosa-corosians" painted by Smibert.

The Vertue papers, material collected by George Vertu (1684–1756) for a history of English artists, were purchased from his widow by Horace Walpole and formed the source of his *Anecdotes of Painting in England*. In his sketch of Smibert he acknowledges his indebtedness to the Vertue notes. In the sale of Walpole's collections, this Vertue material (Lot 1110, Eighth Day's Sale), in twenty-eight volumes, was purchased for £26.10 by "Thorpe," that is, by Dawson Turner. They are now in the British Museum. On folio 13 of Add. MSS. 23,076 (Virtue's Collection) are found the notes on Smibert, now printed for the first time. A comparison with Walpole shows that Vertue did not carry his record as far as Smibert's leaving England in the Berkeley party.

From Vertue's Notes.[1]

Mr. John Smybert first apprentice at Edenbourough servd 7 years to a house painter and plaisterer. in all that time tho' he had a strong inclination to drawing and studying but no oppertunity to improve came to London. many difficulties to get into imployment first to coach painting. then coppying of paintings for dealers for 3 or 4 years yet never copyd any thing from the life, till he came to the accademy haveing never drawn from plaister. after this went to Edenborough there first tryd to paint faces. after came to London and set out to Italy. when he came to Florence there from the great Duke's pictures he copyd several particularly the Card. Bentivolio of Vandyke[2] and many other heads makeing that his whole study after Titian, Raphael, Rubens, etc. at Rome he painted several persons from the life. Naples, etc. at his return, already several good heads especially men. the Lord Carpenter in Arms ½ length very well. an old Lady setting in a chair admirably well done. several other very good portraits one large peice being a Club of Virtuosi or a group of Rosa-corosians.

[1] B. M. Add. MSS. 23,076, fol. 13, 18.

[2] This picture was given by John Trumbull, in 1791, to Harvard University. [C. H. H.]

in the large painting peice of the Virtuosi of London *designed and begun* by Mr. Smibert are the following persons: its divided into three groups in the Middle, Harvey, painter bald head. . . . Wotton . . . Gibson.

on the left Keller setting at the Harpsicord. . . . Kinkead setting looking up backward. . . . Cope standing with a fiddle in his hand leaning. . . . Bar[nard] behind him. [Sketch of Picken] on the right side . . . Vertue holding a print. . . . Bird looking on. . . . Smybert behind and . . . Post pointing up. . . . Lens on the Easel a profile.

Of the painters in these groups Walpole mentions John Wootton, Thomas Gibson, Ranelagh Barrett (?), Bernard Lens and John Smibert.

Smibert to Sueton Grant.[1]

Boston, September 22, 1735

Sir; I suppose your patience is quite tired in expecting your arms, etc — but it was impossible to send them sooner. the frame makers having so much work bespoke before, and being also not disposed to work any more than necessity forced, occasioned me to call upon them at least twenty times, before Mr. McSparran's[2] frame and yours could be got from them. last week I put them on board a Connecticut Sloop bound for your Port, Capt Thorp. they are carefully packed up and the case is directed for you which I hope wil arive safe and be to your satisfaction. Mr. McSparran Picture is in the case which I desire you inform him of and the reason for its not being sent sooner. give my service to

[1] Contributed by Charles Henry Hart, from the Mason Collection.

Sueton Grant came to America in 1725 and settled at Newport, R. I., as a merchant. He was a member of the Philosophical Society which Dean Berkeley established there in 1730, out of which ultimately grew the Redwood Library. He was killed by an explosion of gunpowder in 1744. His wife's name was Temperance. A daughter, Jane, married in 1754 John Powell, and died in 1774 on Long Island, where she had been sent to be inoculated for the smallpox. Another daughter, Mary, married (1) Andrew Heatley and (2) John Bell, a major in the British army.

John Powell was a native of Rhode Island, and is stated to have removed with his children to England and died at Ludlow, in 1800, aged eighty-three. Mason, *Annals of Trinity Church, Newport*, 113*n*. He may have been John Powell, a merchant of Boston, loyalist.

[2] Smibert painted portraits of both James McSparran and his wife, Hannah, daughter of William Gardiner. These portraits were in the possession of Mrs. Romeo Elton, of Dorchester. 1 *Mass. Hist. Soc. Proceedings*, xvi. 397.

Mr. Kent his picture at length
Done by Mr Eckman & placed
up in the hall of My Lord Castlemaines
in Essex where he has painted much
for his Lordship.

his picture done by Mr Dahl
very like

1724

in the large panning peice of the Virtuozo. of London
designd & Given by Mr Lambert
see the following pictures.
is divided into three groupes
on the Middle. Harvey. painter bald head
. Wotton. — Gibson.
on the left Keller setting. at the
Harpsicord. — Kirkleed setting looking
up backward. — Cope standing with
a fiddle in his hand leaning. — Barlandi
behind him.
on the right side
— Vertue holding — print. — Bird
looking on — Lambert behind &
— Pool. painting up. — Lens
on the Easel a profil.

a whole len. cloth

him and my respects to Mrs. Grant. I am Sir your most obedient Humble Servt, JOHN SMIBERT.

In the case is	
A Naval fight, Mantuanes [1]	0–16–6
Scipio's Victory, C. Cort [2]	0–11–0
the Virgin, C. Moratt [3]	0–16–0
frames for ye above	0– 6–0
the Harlots Progres-Hogarth	1– 5–0
the coat of arms	3– 0–0
a gold frame for ditto	3–10–0
a glas for ditto	0–10–0
your half of the case cost	0– 4–0
	£11– 6–6
Received	10– 0–0

SMIBERT TO ARTHUR POND [4]

BOSTON Jully 1st 1743

DEAR SIR; — I wrote you the 6th of May by Capt. Bonner and then troubled you with 2 Bills one on Messr; Tryons for £30 the other on Messr; Walter Hayter & Sons for £11 — the 2d Sett of which Bills are now inclosed as also a Bill of Lading for eight Guineas and twenty-five oz and a half of silver plate. I have for a long time intended to send for the pictures etc which my Nephew left with you, but delayed on act. of the War, which as there is no apearance of being over thinks it now best to have them over here again, for as you long ago wrote me you had sold none of them, nor thought it likely you should. I am in hopes I shal make something of them here so desires you wil order them to be carefully packed up in a good case and sent by the first opportunity for this Port and insure on the Virtu cargo for £150. I must further trouble you to buy me 3 doz ¾ Cloaths strained, and two whole Length Cloaths which pray order to be good and carefully rolled up and put in a case.

[1] Giovanni Batista Britano, called Mantuano (*c.* 1500). This plate is described as a "large naval Combat, from his own design, 1538."

[2] Cornelius Cort (1536–1578). The plate is better known as the "Battle of the Elephants," and was made from a picture by Raffaelle.

[3] Carlo Maratti (1625–1713). He made a set of ten plates of the life of the Virgin, from his own compositions.

[4] Supplied by Mr. Charles Henry Hart from his collection. This letter is supposed to be addressed to Arthur Pond, because of its reference to the "Knaptons." George Knapton (1698–1778) was a portrait painter of reputation and his brother Charles (1700–1760) was associated with Pond in the production of a volume of imitations of original drawings by the old masters, published in 1735. *Dictionary of National Biography*, XXXI. 236.

Fann Paper ten Reams. this is an article which we shall probably want considerable of so would desire you to write the mans name you buy; and of and where he lives that we may send to him directly without troubling you again. there are many women that paints Fanns for the country use and as they buy the Collours of us the paper has of late come naturaly in to be an article in the Shop. let it be of the sort comonly used for cheap Fanns and should be glad the man would Send a Sheet or 2 of the different sorts of paper with the prices. Lake of the comon midling sort about two Guineas and of good Lake about two Guineas more. Prussian Blew 50 1 @ 2 shillings per pound. Do 6 1 @ 20 shill or a Guinea per pound. Do 6 1 @ 18 shill per pound. that may be had cheapest of the maker M Mitchell at Hoxton who you may send to by a peny post letter or a Porter. the old cups and spoons are a comision from my Wife who desires you wil be so good as to get her a Silver tea pott of the midle size but rather inclining to the Large and weighty. the fashion she Leaves intirely to you only would not have the top with hinges, but to take of. I have sent a Sketch of the Arms which I know you wil take care to get done by a good engraver with proper Ornaments. I do not expect the old silver wil pay for the tea pott which I would have a pretty one. what remains of the money after paying for those articles and al charges on Board please to lay out in gold leaf.

I am sory the State of the Virtu is at so low an ebb. if the arts are about to leave Great Britain I wish they may take their flight into our new World that they may, at least remain in some part of the British dominions. remember me to al my old friends among the Painters. I would willingly have acknowledged your favours by something from this Country but can think of nothing worth sending that is our own produce. amongst the Pictures with you my Nephew tells me he thinks you used to like the Venus Nymphs etc by Poolenburgh. be so good as to accept of that picture to remember me by or any other of the pictures you like except the Scipio, and if there be any of the drawings that you fancy pray take them. when you write me let me know the State of Painting, who makes a figure and what eminent ones are gone of the Stage. as for my self I have as much as keeps me employed, has my health better than I could have expected, having near 3 years ago recovered from a dangerous ilnes, but thank God has had no return of it. I am happy in 4 clever Boys and lives as easily as my friend could wish me. the affairs of the shop with my Nephew goes on well. he joins me in respects to your Father and to Messr. Knaptons. I shal not make any further appollgys for the trouble now given

you only asures you I wil not try your patience every year but only now and then. I am Sir your most obliged humble Sert.

JOHN SMIBERT.

P.S. please to insure besides the £150 on the Pictures etc. at your house, £50 more for the money you lay out in al £200 I wish you could send 2 copies of a Pamphlet Published by A Millar entitled as I remember the Apostles no Enthusiasts by — Campbell of St. Andrews.[1]

SMIBERT AND MOFFATT TO ARTHUR POND[2]

BOSTON, March 24, 1743/4.

DEAR SIR; I had the favour of yours by Capt. Anstill with the Virtu Cargo and bill. the other things in good order. for your care of which and present of the prints I am much your debtor. You know I was always fond of Landskips so that you could not have sent anything more to my taste and I assure you I esteem them as the finest Collection of Prints in that way I ever saw. the smal sett I have sold and desire you wil send 5 setts of the 7 numbers on the smal paper which with the sett already received wil amount to eight guineas allowing the 20 per cent for those who sell them again. its probable more wil sell but we wil try them first. you may send one of every Print you do perhaps some of them may hit the General taste of this place.

All the things you sent are good and bought well. The season for Fann painting is not yet come so there has been no opportunity to try the papers and mounts but no doubt they will answer. I now trouble you for some small matters to come with the Prints as by invoice anexed. to pay for these thing inclosed are a Bill for £12.12.0 on Fredk Frankland Esq and a Bill of Lading for some gold and silver as is specified in the Bill. We are very sorry for the los of Mr Charles Knapton[3] who was a worthy man. Your act. of the state of painting and the Painters with you shows a very fickle temper and is no recommendation of your great Town. as you do not mention the Lady's head after Titian to be amongst the Pictures stolen by the frame maker I hope you forgot to put it

[1] Archibald Campbell (1691–1756), professor of church history in St. Andrews. The tract, printed in 1730, was entitled: *Discourse proving that the Apostles were no Enthusiasts.*

[2] Contributed by Charles Henry Hart from the Dreer Collection in the Pennsylvania Historical Society. The letter came from the collection of Lewis J. Cist, of Cincinnati.

[3] "If this Charles Knapton was the brother of George Knapton and was deceased in 1744, the date of his death as given by Redgrave, 1760, is erroneous." — C. H. H.

up with the others and that its stil at your house. if it is, be so good as send it with the things now wrote for. the tea pot is a mighty pretty one and so much liked that you [will] be troubled with my nephew's request for a friend. He joins with me in our Respects to your Father and al friends I am, Dear Sir your most obliged Humble Sert.

JOHN SMIBERT.

SIR; — I hope youl excuse the trouble I now give you, occasioned by the Tea Pott you sent which is admired by all the Ladies and so much that in behalf of one of them (who I assure you has great merit) I must beg the favour of you to send such another one of the same fashion and size only the top to have a neat hinge, for the payment of it the silver is apropriated. if it should not be enough to pay it and engraving the arms according to the Sketch and Insurance do not let that prevent its being done in the same manner as the last desiring you wil forgive this freedom I am Sir Your most obliged humble sert.

JOHN MOFFATT.

half length Cloaths primed 1 doz
kit kat do 1 doz ½ to be rolled up as the last
Pallet knives 1 doz black lead pencils of different sizes about ½ a guineas' worth
Black a more street pencils pointed about ½ a guineas worth, but no fitches[1]
Silver leaf six thousand it cost about 10 shil per thousand
Prints 5 setts of the 7 numbers smal paper
A set of ships published by Lempriere and sold by H. Toms[2] in Union court Holborn

These ships I want sometimes for to be in a distant view in Portraits of Merchts etc who chuse such, so if there be any better done since send them. but they must be in the modern construction. the last edition of Perspective commonly calld Pricks,[3] the rest of the money after paying for insurance (for tho of small value yet its best to be insured) and charges please to lay out in Post paper[4] and a writting paper, called Pott paper[5] the article of paper wil

[1] A brush made of the hair of a fitchew or pole-cat.

[2] William Henry Toms, from whom John Boydell took lessons.

[3] Robert Pricke (*fl.* 1669–1698), engraver. The book wanted was *Perspective Practical*, translated from the French of the Jesuit, J. Dubreuil, of which a second edition was published by Pricke in 1698.

[4] A size of writing paper, the half-sheet of which when folded forms the ordinary quarto letter paper.

[5] So called from its original water-mark of a pot, and suited for printing or writing paper.

be easy to you as you have ocasion for much, tho of another kind.

You wil please to send the above out by Capt. Jones on one of the first ship

Coined silver sent 13 d 10 dwt
Old Plate 14 2
Gold 4 Pistol piece 17–8 gram
Coined gold £4, 13, 0.

Smibert to Arthur Pond.[1]

Boston, N. E., march 15 1744/5.

Dear Sir, — I had the favour of yours by Capt. Carrey with the cargo in good order, for your care of which and present of the Prints I am much obliged. the View from Greenwich and Antiquities by P. Panini [2] please more here then the others and I hope some number of them wil sell. last August I wrote you and inclosed a Bill for £8.8.0 on Mr. Elliakim Palmer to be laid out chiefly in Fann mōunts, but I hear the Vessel was taken and caried into France I now inclose you the 2d. of that Bill with one for £18 on messrs. Samuell and Wm. Baker, which I must trouble you to lay out by the invoice anexed to be sent by the first opportunity and insured.

at present here is litle talked or thought of but war, our forces are imbarking for Cape Bretton, four Vessels of force are sailed to ly off Lewisbourg harbour to prevent any succours or provisions going in. this Expedition is a great undertaking for this Country if it succeeds wil be of great importance and be a terible blow to France as it wil effectualy destroy their fishery and make the navigation to Canada very dangerous. but if it dos not succeed we shal be almost undone here, for our best men, the flower of the Country are going and the expence wil be a prodigious sum of money, which if we are not assisted in the charges of it from home must ruin this Province. but I hope we shal not be deserted by our Mother Country. my Nephew thanks you for the care of his Commission which pleases much. our respects to your Father. I am Sir your most obliged humble Sert.

John Smibert.

This comes by the *Elthan* man of war, who convoys the mast Ships. there has been an Embargo here for more then 6 weeks and stil continues.

[1] Contributed by Guernsey Jones, from B. M. Add. mss. 23,725, fol. 3–4.
[2] Giovanni Paolo Pannini (1691–1758).

At present here is little talked or thought of but war, our forces are imbarking for Cape Breton, four Vessels of force are sailed to lye off Denisbourg harbour to prevent any succours or provisions going in. This Expedition is a great undertaking for this Country if it succeeds will be of great importance & be a terrible blow to France as it will effectualy destroy their fishery & make y navigation to Canada very dangerous. but if it dos not succeed we shal be almost undone here, for our best men, the flower of y Country are going & y expence will be a prodigious sum of money which if we are not assisted in y charges of it from home must ruin this Province. but I hope we shal not be desired by our mother Country. my Nephew thanks you for y care of his Commission which pleases much, our respects to your father I am Sir

your most obliged

humble Ser

John Smibert

Gold leaf 3000
Views of Greenwich & antiquities of Penini a dozen of each
3/4 Cloaths 3 doz Dark Prussian Blew 3 lb about 18 or 20 shill per lb
Fann mounts 3 doz a 8 shill. 3 doz Do a 4/6 2 doz Do a 1/6
40 doz a 1 shill. and about 10 or 15 shill. worth of
Coloured prints slight & cheap for Jappening. please to advise
of y price of Trunkford Black by y hundred & send a Specimen
of fann mounts printed but not coloured of y cheapest sort.

Mrs Lowry of Mount Pleasant, Near Bay Cross Co.

Gold leaf 3000

Views of Greenwich and antiquities P. Panini a doz of each

¾ Cloaths 1 doz Dark Prussn: Blew 3 l about 18 or 20 Shill per l

Fann mounts 1 doz @ 8 shill. 3 doz Do @ 4/6 20 doz do @ 1/6

40 doz @ 1 Shill. and about 10 or 15 Shill. worth of coloured prints slight and cheap for Jappaning. please to advise of the Price of Franckfort black by the hundred, and send a specimen of fann mounts printed but not coloured of the cheapest sorts.

To Mr Arthur Pond Painter in great Queen Street Lincolns inn fields London.

Smibert to Arthur Pond.[1]

Boston April 6th 1749

Dear Sir, — The first of last moneth I wrote you and inclosed two Bills of Exchange one for £15 on Mr. Bethel the other for £33 on Mr. Partridge and now inclose you the 2d of each of those Bills and the first of another for £15 on Mr. Bethel making in al £63.00 which I must trouble you to lay out in the underwritten articles and to get the Cargoe insured. I hope you have received the first letter where in the Prussian Blew was desired to be got ready, but in case you have not and can not soon get the sorts wrote for, desires you wil take what sorts there is ready that you like best your self, for as several of the articles are much wanted would be glad to have them sent by the first vessel, the last things you sent came safe but received no Letter.

I'm ashamed to give you so much trouble, but you have encouraged me and there is none of my friends so well acquainted with the people who deal in those articles, as for my self I need not tell you that I grow old, my eyes has been some time failling me, but is [I'm] stil heart whole and hath been diverting my self with somethings in the Landskip way which you know I always liked. I had latley a present of a Cast of the modell for Shakespears Monument from my friend Mr. Schymaker[2] which pleases me much. when you see him please to make my Compliments to him, and to Mr. Gibson[3] of whose welfare I should be glad to know. if you have got the litle Picture of Mischan and the Lady after Titian back again (for I think you wrote you had lent them) should be glad you sent

[1] Contributed by Guernsey Jones, from B. M. Add. mss. 23, 725, fol. 5.

[2] Peter Scheemakers (1691–1770), sculptor. A Shakespeare statue by him is in Westminster Abbey.

[3] Thomas Gibson (1680?–1751), portrait painter.

them with this Cargoe. my Nephew sends his service to you, with our services to your Father I am Sir your most obliged humble sert.

JOHN SMIBERT.

Prussian Blew 1 @ 18 or 20 Shill
Do 6 l @ 12 or 15 Shill
Do 10 l @ 8/or 9 Shill
Do 20 l @ 4/or 5 Shill
Pallet and Stone Knives 1 doz of each
Brown Pink ½ l.
Carmine 1 oz
gold leaf three thousand
silver Do 4000
} Please to direct that the gold and silver leaf be carefuly done up in a box by it self.
¾ Primed Cloaths 3 doz
Kit Kats 1 doz
½ Lengths 2 doz

2 gold frames for 2 Pictures 20 inches by 14 inches and a half. the pictures are not extraordinary, so would not go higher then 12 or 15 Shill. apiece. a French Bible a good Edition and neatly bound. this is for my second Son a present from my Nephew whose favourite he is.

Red chalk 1 l
Pencils (black a more Street) in Sorts 20 Shil. value
Brushes or tools for Portraits 20 Shil. value
Fann papers 5 groce @ 5/6
200 doz black and white mounts @ 8 d per doz
50 doz Colloured mounts at one Shil. per doz
50 doz Do @ one Shill and six pence per Doz
10 doz Do @ 2 or 3 Shill per Doz
10 doz Do @ 4 or 5 Shil. per Doz
2 doz Do @ 6 or 8 Shill. per Doz
1 doz Do @ 10 Shil. per Doz
Black and white mounts 20 Doz @ one Shil per doz
Do 10 doz @ one Shill. and Sixpence
Purple and white mounts 20 doz @ one Shil. per doz
Do 10 doz @ one shill. and six pence per doz
Silver paper 1 Doz @ 3 Shill.
Do 1 Doz @ 4 Shill.

Black mounts for mourning smal paper 20 doz and 20 doz larger paper Do we know not the Price of the black mounts but supposes the smal paper may be a Shilling a dozen and the larger eighteen pence a doz.

John Moffatt to Arthur Pond.[1]

Boston, New England, Dec'r 28th, 1752.

Sir, — No doubt you have long ago heard of the Death of Mr. Smibert, and which I ought to have acquainted you of before now, as I know the regard you had for him and the obligations we are under to you. He had been for many years in a Declining State of health, and for some years unable to paint at al, but to the last preserved his cheerfulnes and serenity of temper, free from al uneasines and happy in his family. He has left a Widow and three sons,[2] the eldest is apprentice to a Merchant, the second inclines to Painting and seems to me of a Promising Genius, the youngest is at the Gramar School. My Honest Uncle never was rich, but Lived always handsomely and with great reputation. He hath left eneugh I hope with prudent management to put his Children in the way of doing well in the world and which you may easily think I am not unconcerned about.

A friend here who valued Mr. Smibert much, has wrote a Character or Epita[p] h to be put on the Tomb. I have sent you a Copy of it for your opinion and your friends, it wil apear too long and perhaps might be shortned to advantage. I shal be glad of your opinion of it and would aquaint you that ever since Mr. Smibert died I have intended something should be erected to his memory. the tomb Joins to a wall which wil admit of but a smal monument, the measure of which wil now be sent. Mr. Scheemaker was Mr. Smibert's friend and therefore the properest person to apply to, what I would desire to be done, is the Inscription on Marble with some litle ornament as you and Mr. Scheemaker shal think best, if it can be done for about twenty Guineas and should be glad of two or three diferent drawings that we might choose from, what pleases best here. I am a stranger to the expence of marble monuments but as this is only the marble with the writting and some litle ornament, perhaps it may be done for near that money. however I am forced to take the freedom to trouble you in this affair for there are none of Mr. Smiberts friends who can so well direct me in this affair as you and I suppose you are no stranger to Mr. Sheemaker but must be aquainted with him.

I am ashamed further to trouble you with the inclosed Bills of Exchange one for fifty and the other for twenty Pounds, to lay out in sundry articles as per Invoice anexed, the remittance is made the larger that we may not soon give you the like trouble. My Aunt and I Jointly cary on the Collour busines and every thing goes on as in my

[1] From the Chamberlain Collection (F. 4, 7), Boston Public Library. This letter, and the epitaph which follows, were in the collection of Dawson Turner, in 1859, and were priced at 10*s.* 6*d.* in the sale catalogue.

[2] 1 *Proceedings*, IX. 208.

Uncles life time. Gratitude obliges me to do al I can for the interest of so worthy a Persons familly as wel as the nearnes of my Relation. if this Commission could be made easier to you for the future by applying to the Fann man and some of the other people directly, you wil please to direct me, the Bill for fifty pounds is drawn by so good a man as that its certain wil be duly honoured, nor do I doubt the other Bill being so too, but in case that should be protested must desire you to get the whole of the Fann Mounts sent and the remainder in Prussian Blew, for as we are near out of Fann mounts it would be of great advantage could you favour us with them by the first ship after you receive the money, and let the whole value be insured. I wish the taste here was good eneough for the Prints of your Landskips, etc. but there are few Virtuosi here, the Roman Ruins pleases and now and then there are a Customer for them. Mrs. Smibert with Her Sons Joins me in their Respects to you. I shal be obliged for your ordering the cargo particularly the Fan mounts as soon as possible. I am with the greatest respect Sir, your most obliged Humble Ser't,

JOHN MOFFATT.

one Bill of Exch. drawn by Peter Bulkeley on Christopher Kilby Esqr. for 20.0.0
one Do. drawn by John Erving Esqr. on Mr. William Hodshon for 50.0.0
Sterling £70.0.0

Invoice of the particulars, the above Bills are desired to be laid out in and marked S. M. No.

Ordinary white Fan mounts	5 groce	@	5/6
Plain printed mounts	16 groce	@	8/
Colloured mounts	8 groce	@	12/
Do.	8 groce	@	18/
Colloured mounts and guilt	1 groce	@	30/
Do.	1 groce	@	36/
Do.	6 doz	@	6/
Do.	2 doz	@	10/
Do.	2 doz	@	12/
Black and white mounts	1 groce	@	12/
Do.	2 groce	@	18/
Do.	1 groce	@	24/
Purple and white Mounts	1 groce	@	12/
Do.	2 groce	@	18/
Do.	1 groce	@	24/
Black mounts 3 groce @ 12/		@	12/
Do.	1 groce	@	18/

37.18.6[1]

Childrens mounts Colloured 3 groce about 8/ or 9/

[1] This total is in another writing, probably that of Pond.

the 4 Prints of the Roman Buildings and Ruins by Panini twelve of each print.

Prussian Blew 6 l. about 18/ or 20/ per pound
Carmine 1 oz
Stone knives 1 doz.
Pallet Do. 1 doz.
Black Lead pencils 6 doz chiefly large sort
¾ Primed Cloaths 3 doz
Kitkat Do. 1 doz
½ Length do. 1 doz
Gold leaf 2000 and some gold Beatters skin.
Crayons to the value of a Guinea
Black chalk and some French Chalk about 5/ or 6/ worth

If there should not be Fan mounts exactly of the above prices, please to do what you think best, only that they be near the above prices, what is now wrote for wil I imagine, with the Insurance, Cases and shipping Charges etc. be near about the £70.0.0 now remitted, if there by any Left it may be laid out in gold leaf, Pruss. Blew or the plain printed mounts, either of them as wil be the least trouble.

The Tomb Joins to the Brick wal of the Burying ground and wil admit a monument of a litle more then 5 foot wide, but as the wal is but Low I belive 5 foot wide wil be sufficient to alow for a proper heighth.[1] the Inscription wil require a large piece of Marble and that is what I principaly regard, as for any show I would avoid it and desire what litle ornaments can be afforded be in the plain and good taste, which you wil please to direct Mr. Scheemaker, and to favour us with 2 or 3 sketches with the Estimate of the charge, that so we may choose

[1] Mr. Frederick L. Gay writes:

"There is little doubt that Smibert was buried in the tomb of his father-in-law Dr. Nathaniel Williams, which 'joins to a wall.' The tomb is numbered 62 in the Granary Burying Ground. See *Boston Record Commissioners Report*, XIII. 185. The tomb is located in the Tremont Street range, and is the third to the right of the gate as you enter the Ground. It is now marked by a stone bearing the inscription 'Thomas & John Bradlee'[s] Tomb 1816.'"

"On Tuesday last died here, much lamented, Mr. John Smibert, well known for many fine Pictures he has done here, and celebrated in *Italy*, as well as *Britain*, for a good Painter, by the best Judges. As a Member of Society, he was a valuable Gentleman, of a happy Temper, great Humanity and Friendship, a kind Husband, tender Father, and steady Friend: But what is above all, an exemplary Christian, eminently so in Patience and constant Resignation to the Will of God. And on Friday was decently inter'd." *Boston Gazette*, Tuesday, April 9, 1751. A similar notice, almost identical in wording, appeared in the *Boston Evening Post*, of Monday, April 8 1751; and the *Boston Post-Boy*, for Monday, April 8, 1751, contained only a brief note: "Last Tuesday died here Mr. *John Smibert*, an ingenious and celebrated Painter in this Town."

what wil please best here. Mr. Smibert had a great friendship for Mr. Scheemaker to whom please to give my service. I doubt not but He wil readily do what is in his power to the memory of the Deceased.

EPITAPH.[1]

Quis Desiderio sit Pudor, aut modus
Tam Chari Capitis? . . . . . Hor:[2]

In Tumulo hocce contiguo Conditur quicquid caducum et mortale habuit, Vir Optimus Joannes Smibert Pictor celeberrimus cujus in Arte sua Laudes debitas, etiam Italia, picturæ alma Nutrix, olim agnovit. In Britannia vero, Superiorem haud temerè invenies, Æquales minime multos. Quid mirum, igitur, si in America, quam, Salutis gratia, Natali prætulit solo, ne vel Æmulum invenit aut reliquit: Quorum argumenta præbebunt diutina, ex Sententia optimorum Judicum, Imagines plurimæ, multa cum Arte et Scientia, Manu sua eleganter depictæ.

Sed quanta quanta sit hæc ejus Laus, opposita tamen Moribus suis eximiis, prope nulla est. In his enim colendis maxime studium Operamque fœliciter collocavit, Qui in omni Vitæ Statu veræ et infucatæ Virtutis Examplar edidit. Hominum nempe, Communitatis, Membrum inprimis dignum, si quidem hoc efficitur, Vitæ, Solertiâ, Integritate immaculatâ, Indole placidâ, benignâ et humanâ, unà cum Morum Facilitate et Simplicitate jucundâ atque ingenuâ. Maritus, Parens, amantissimus; officiorum in suos quosque Observantissimus; Amicus, porro; sincere Benevolus, Fidus, Constans Coronidis, denique loco, Is, cujus universa Vita prædicabat. Animum intime imbutum Reverentia et Charitate in DEUM O.M. Cujus Cultor assiduus devotissimusque extitit, nec non Vera Fide et spe Vivida in Christum Jesum: Quibus Animam piam Suffultus, Deo, qui dedit, Tranquillus et Lætus, reddidit, IV.° Non: Aprilis, Anno Æræ Christianæ Vulgaris M,DCC,LI.

Natus erat Edingburgi, Britannorum Septentrionalium IX.° Kal. Aprilis Anno M,DC,LXXX,VIII, Parentibus honestis Oriundus. Uxorem, quam charam semper habuit, utpote vere piam et amandam, nunc, proh dolor! viduam mærentem, duxit III.° Kal. Augusti, Anno M,DCC,XXX, Mariam, Filiam natu maximam Reverendi Doctique Viri, olim Vita functi, Nathanaelis Williams, Bostoniensis: Cujus Conjugii Proventus Septem Filii, duæquæ Filiæ, quorum Filii quatuor, duæque Filiæ, in eodem cum Patre requiescunt Tumulo; Cæteri supersunt.

Lector, si Talem amare et imitari possis, Beatus evades.[3]

[1] From the Chamberlain Collection, Boston Public Library. [2] *Carmina*, I. xxiv.
[3] Contributed by Guernsey Jones, from B. M. Add. MSS. 23,725, fol. 49–50.

John Moffatt to Arthur Pond's Executors.[1]

Boston New England Jully 2d 1759

Gentlemen, — I latley Saw an advertisement in a London news paper of the Sale of Mr. Ponds Collection by Order of His Executors.

Mr. Ponds death gives me much concern as I am under great obligations and have received many favours from him. but I should not have troubled you with a Letter were it not on account of Some goods He was to Ship for me. The state of the affair is Just this. Decr. 15th 1756 I wrote Mr Pond and inclosed a Bill of Exch. for £60.0.0 Sterling and febr. 10th 1757 I again wrote him with a Copy of the articles wrote for and the 2d. of the Bill and no doubt you wil find those Letters amongst his papers. Mr Pond favoured me with an answer dated may 10th 1757 a Copy of which is here unto anexed by which you wil see he did not mention in what Ship the other half of the goods were to be sent and as I never heard further from him, concludes the Ship must either have been taken or Lost. now as you have the Pollicy it wil be easy to know by what Ship and if either taken or Lost there can be no difficulty in getting the Insurance paid. this is the reason of writting you Gentn desiring you wil be so kind as to receive the Insurance for me as you have the Pollicy, the Bearer Mr James Erving of this place wil be very ready to Assist in the affair and when you have received the money, please to pay it to Mr Erving who wil pay the charges arissing and give you the proper discharge. I must desire another favour more and that is to let Mr Erving know of whom Mr Pond used to buy the Fann mounts for I have given Mr Erving a Commission to get me a parcel of the same person if you can direct him to the man. I hope you wil excuse this trouble and if ever it is in my Power to do any Service for any of Mr Ponds friends in this part of the World it would give a Singular Satisfaction to Gentlemen your most obedient Humble Sert.

John Moffatt.

P.S. The goods by Capt. Jacocks came Safe.

To the Executtors of the Will
of the Late Mr Arthur Pond
in London.

Copy of Arthur Pond's Letter.

London, may 10, 1757.

Sir, — your Letter of the 15th. Decr. came to my hands the latter end of february, and I have this day sent the two boxes to

[1] Contributed by Guernsey Jones, from B. M. Add. mss. 23,725, fol. 49–50.

be shiped in two different Ships being the last which go this Spring. you have only one Sort of Prussian Blew of a fine deep Sort and I could now [not] get any other I liked ready made; I could not under a fortnight get any flake white, without going to the Colour Shops, who sell it dear, but have sent one pound for the present. many things are so dear on account of the war and the Insurance so high Your money is all laid out, if you want more of any of the articles I shal get them on your Order. not knowing where directly to get any Indian Ink at a good hand, have put up one Stick of my own which desire you to accept of.

I am Sir your most humble Sert.

ART. POND.

Some of the things I divided by Gues Consequently not exactly equal.

Porter and Shipping last Cargoe Six shillings remained in my hands	0–14–9
A Bill now Sent	60– 0–0
	£60–14–9

the word Painter is not necessary in my direction, and I may leave [it] off.

Fann Mounts	38–15–0
Carmine one oz very fine	1– 1
two doz stone knives	1– 4–0
one doz pallet knives	0– 6–0
four pounds fine Prussn. Blew 18/	3–12–0
two pounds English Safron 1–14–0	3– 8
one pound flake white 0–1–4	0– 1–4
one pound French Sap Green	0–13
one pound Distiled Verdigrees	0–15
Boxes, Porter and packing	0–14–6
part of the Insurance to be returned if with Convoy	
Insurance on two pollicys	9–18–0
	60–7–10
Ballance	6–11
	60–14–9

Shipping charges to be paid

the above Letter directed
To Mr John Moffatt Boston New England

By the Devonshire Capt. Jacocks

[Endorsed] 24th. Augst. 1759 receed from
Mr James Urwin Merchant at New England Coffee House.

Remarks were made during the meeting by Messrs. Norcross, Lord, Bowditch, Green and Sanborn.

Note. On the "Scipio" mentioned, page 28, *supra*, Mr. Frederic L. Gay calls my attention to the following extract from *Hamilton's Itinerarium* (p. 139):

July 24, 1744. "I went this night to visit Mr. Smibert, the limner, where I saw a collection of fine pictures, among the rest that part of Scipio's history in Spain where he delivers the lady to the prince to whom she had been betrothed. The passions are well touched in the several faces. Scipio's face expresses a majestic generosity, that of the young prince gratitude and modest love; and some Roman soldiers, standing under a row of pillars apart, in seeming discourse, have admiration delineated in their faces. But what I admired most of the painter's fancy in this piece is an image of phantom of chastity behind the *solium* upon which Scipio sits, standing on tiptoe to crown him, and yet appears as if she could not reach his head, which expresses a good emblem of the virtue of this action. I saw here likewise a collection of good busts and statues, most of them antiques, done in clay and paste, among the rest Homer's head and a model of the Venus of Medicis." On August 9, Hamilton again visited Smibert in the afternoon, "and entertained myself an hour or two with his paintings."

Yours faithfully
William Everett

MEMOIR

OF

WILLIAM EVERETT.

By JAMES SCHOULER.

William Everett was born in Watertown, Massachusetts, October 10, 1839. He was the third son of the famous Edward Everett, orator and statesman, and of Charlotte Gray (Brooks) Everett, his wife.

Edward Everett, the father, was one of the most illustrious and influential Americans of the nineteenth century in his generation, and from early manhood to the day of his death maintained a conspicuousness, whether in public or private station, such as few contemporaries ever reached or approached. Yet, to this day, no authentic biography of the man has ever issued from the press, nor has any collection of his writings been made, except four volumes of his chief orations which were published during his lifetime. These orations were mostly of the occasional and academic sort and do not identify him greatly with public activities. Yet by speech or writing he was a constant inspiration to his fellow-countrymen, besides receiving at various times the highest public honors that his native state or the nation could confer, short of that Presidency, which comes to but few and only as the gift of the whole people.

William, as Edward Everett's youngest son, was the object of a prime paternal solicitude during his whole childhood, his mother having become a confirmed invalid for the rest of her life. Father and son grew close together in affectionate intimacy, and William, as a youth, learned to emulate his father's high career and example. He showed a precocious intellect and an astonishing memory, imbibing early a fondness for the

classics of Greece and Rome, and for English and American political history. It has been well said that the one love of Edward Everett was for his son William, and that William's cherished ideal through life was his father.

When first at the Boston Latin School, William excelled the boys of older classes in capping verses from Virgil. But he was wisely kept from entering college until his sixteenth year, so that in Harvard's class of 1859 which he joined were many fellow students of about his own age. Here, though recognized as brilliant and versatile, he by no means led his classmates either in scholarship or a forceful personality. Pure in morals, however, upright and conscientious in conduct, he was doubtless influenced for good by his elderly roommate and life-long friend, Alexander McKenzie.[1] When visiting other classmates in their rooms socially he liked an improvised contest in light witticism or the citation of authors. He wrote well both in prose and poetry for the college magazine, he worked out such mimic parts as were assigned to him in class entertainments with much drollery and originality and he prepared an excellent ode for our class supper. Though slight of build and taking but little interest in the desultory college athletics of that day, he showed himself a good runner about Harvard's delta. He held a high rank in his studies, but by no means as high as might have been expected of him, for he lacked at this time diligence and application. His commencement part, on Athens as the great teacher of mankind — a most congenial theme — was well written and he delivered it with fervor and bold gesticulation. On the whole, William Everett was a youth still undeveloped while at college, and some personal habits of the juvenile sort which clung to him hindered the estimation of his classmates, who nevertheless took great pride in his brilliant promise.

New and invigorating impulse was given to this young man's rise in life when, upon his graduation at Harvard in 1859, he was sent abroad to Cambridge, England, to complete his studies. There he greatly broadened as an accomplished classical scholar, in the course of another four years, while among English scenes and acquaintances he gained a sort of international experience and range of friendships which con-

[1] See *Proceedings*, XLIII. 414–417.

firmed him strongly in self-confidence and mental equipment for a distinguished career in his native land. Graduating in England from Trinity College in 1863, he returned to Boston, a young man widely heralded for fame and influence.

William Everett's ambition, at this time young and ardent, was unquestionably to follow in his eminent father's footsteps, as a statesman and orator, with the subsidiary adornment, likewise, of an accomplished scholar. A course of lectures upon English university life which he delivered at the Lowell Institute, a few months after his return, and presently published in a book, "On the Cam," gave him a speedy renown in this vicinity.[1] Eager to connect himself, first of all, with the instruction corps of Harvard University, like his father before him, he had already, in July, 1863, applied to President Hill, though unsuccessfully, for appointment to a vacant tutorship in mathematics. He next studied law and was admitted to the Boston bar in April, 1867, but never practised the profession.

His distinguished father dying in January, 1865, shortly before our Civil War came to an end, William was left fairly independent in means for pursuing his own plans in life, but without that elderly guidance which had been a most salutary support. His efforts for conspicuous fame and influence became somewhat diffuse, in consequence, where concentration of pursuit would have served him better. Always sincere and frank, and ready, moreover, to initiate for himself, he disclosed too openly for his own good at this stage of manhood whatever plans he might cherish in one direction or another. Hence rivals and personal enemies sprang up in every chosen path to oppose or thwart his purpose. Yet his energy, persistency and varied talents could by no means fail of making a public impression. His college essays were now issued in book form. A ready writer, witty or serious, both in prose and verse, he contributed much to the political and literary press, and to children's magazines besides. He gave lyceum lectures in and out of Massachusetts. He read a well-prepared poem before the Phi Beta Kappa Society at Cambridge, which was afterwards published.[2] In 1864 he spoke by invi-

[1] See *Proceedings*, XLIII. 420.

[2] *Hesione, or Europe Unchained* (1869).

tation at the Unitarian festival in Boston and also at a Republican flag raising. As a bachelor he took up his legal residence in Winchester, where his father had once lived, joined a local Grant club in 1868, and sought, though in vain, to be chosen from that town to the Massachusetts legislature. Books and memorials from his father's estate he liberally bestowed in various directions. In May, 1869, he made application for appointment to a Latin Tutorship in Harvard University.[1]

Mr. Eliot became President of Harvard on the 19th of May, 1869; and, within a year, William Everett was appointed a University Lecturer on "Virgil and his place in Literature," and Tutor in Latin. Sailing for England in the summer of 1869, he procured from Cambridge University there his course degree as Master of Arts.

In 1873 Everett was promoted to an assistant professorship of Latin. The young man took up zealously the new duties of classical instruction with his alma mater and was thus actively occupied for about six years. Ambitious of a suitable academic title, he prepared in 1875 a classical thesis, and upon special examination was made by Harvard a Doctor of Philosophy in course: whence the title of "Doctor," by which he became commonly addressed for the rest of his life.

By no means content, however, to pursue for life the simple routine of a college professor, William Everett bestirred himself in these busy years in other directions. Shortly before beginning work as a tutor in 1870 he had delivered to good acceptance the Fourth of July oration in the city of Boston. In

[1] The Committee of Publication add the following account which was courteously written by President Eliot:

"In March Mr. Eliot had been elected by the President and Fellows of Harvard College to the office of President; but this nomination had been returned to the President and Fellows by the Board of Overseers without approval. After a good deal of private and public discussion, in early May the rumor ran that the President and Fellows had been advised by a well-informed friend of the University that, if they should return to the Board of Overseers the nomination of Mr. Eliot, it would probably be confirmed. When Mr. Eliot returned, late one afternoon, to the house on Chestnut Street, Boston, where he was then living, he found William Everett waiting for him; and Everett at once entered upon his business. He declared that Mr. Eliot was not at all his candidate for the Presidency of Harvard; that his candidate was the Rev. Edward Everett Hale; but Everett went on to say, 'I am told that the Overseers may consent, after all, to your election as President; so I want to apply now for a position as Tutor in Latin, whenever there is a chance for me.'"

1872 he further sought and procured from the Boston Ministers' Association (Unitarian) a license to preach, so that for the rest of his life he occasionally supplied the pulpit in churches of his faith in different parts of the country. For the pastoral duties of a sacred calling William Everett was never tested, but his sermons were found thrilling, eloquent and forcible, and one upon "Socrates and Jesus" which got into print was especially liked. As a preacher he made a good impression upon his hearers. He was considered for a colleague at Brattle Square Church about 1874 during its last crisis of existence, and he received a call to the Harvard Church in Charlestown in 1875, which, upon consultation, he concluded to decline.

Everett's interest in his own college classes was always deep and genuine. But friction ensued in his relations with other Harvard professors; for he never could coöperate patiently as a subordinate, and subordination was sometimes necessary. He refused to take up some special work assigned him in an emergency. President Eliot, in fact, doubted the expediency of adding Sunday labors to the hard work of an assistant professor of Latin six days in the week. By 1876, in a notable presidential struggle, it appeared that this eager assistant professor purposed entering politics. In 1877, before the expiration of the usual term of five years, Everett resigned his assistant professorship.[1]

[1] President Eliot furnishes the Committee of Publication with the following account of his resignation:

"In the middle of the term, Professor Lane, the head of the Latin Department, fell ill. It was very desirable that the two courses of instruction he was giving should not be interrupted. One of them could be conveniently combined with a course which Assistant Professor Everett was already giving; the other, that on Plautus, Lucretius, Cicero, and Catullus, would have to be conducted by a substitute for several weeks. Assistant Professor Everett was freer to undertake that work than either of the other two assistant professors. President Eliot, therefore, requested Everett to replace Professor Lane immediately in that course which was attended by a considerable number of Juniors and Seniors. Everett at once protested that he was not competent to replace Professor Lane in that course; but, when the President insisted that he was the most available member of the department under the circumstances, Everett consented. Professor Lane was incapacitated for nearly four weeks. At the end of his service as substitute, Everett came to the President's office, and said, 'I told you, Mr. President, that I was incompetent to take that class in place of Professor Lane. I have demonstrated the truth of that proposition, as you may learn from any member of the class that you may invite to testify; and, moreover, I have learnt that I am not fit to be a Professor of Latin in Harvard University, and never shall be.' He was

Doubtless it was with a feeling of relief on both sides that by 1877 Dr. Everett severed connection with his alma mater to become in 1878 the head master of Adams Academy.

This academy had lately been opened in Quincy on the basis of an endowment created early in the century under the will of John Adams, our second President of the United States. It had the equipment of a fine stone building, but depended largely for its annual income upon the tuition fees of private pupils who fitted there for college. Dr. Everett was now its second head master in succession, and he became most closely and permanently identified with its fortunes. To this institution and its work he mostly devoted himself with earnestness and industry for the rest of his life, and yet not, perhaps, with as close and undivided an attention as its welfare desired and deserved. Here, at all events, his work was his own and free from all immediate supervision. He proved himself a great teacher, as many of his students have testified. They won his strong affection and he theirs. He preached to them, besides giving routine instruction, and a volume of his "School Sermons," published presently, gave inspiration to many teachers and pupils elsewhere.

But Dr. Everett's heart was too much set upon publicity and public influence for him to confine himself to any routine of secluded work. He neglected the grand opportunity now afforded him to concentrate his leisure time upon some continuous task, and most of all upon the much needed and long projected biography of his father, for which he had been collecting material. Besides taking a prominent part in teachers' conventions and making many wise suggestions concerning the education of youth, he would still preach or deliver an occasional address by way of variety. In 1880 he composed a poem on the two hundred and fiftieth anniversary of the founding of Cambridge, for which he received the thanks of the city government. He wrote hymns for a religious collection; and by 1882, while in the midst of school duties, he became drawn

right, if exact philological knowledge were necessary for a Professor of Latin in Harvard University; effacing for the moment his remarkable knowledge of Latin literature, this voluntary communication of his diagnosis of his own case to the President of the University illustrates forcibly the essential modesty of Everett's nature, in spite of the superficial conceit which was sometimes obtrusively manifested."

into national politics closer and closer until, as he would express himself, it became "the breath of his nostrils."

The national cause of civil-service reform now engaged our fellow-member's zeal, and, beginning his political course in earnest as an independent Republican, he espoused actively the cause and candidates of the national Democracy. In a Quincy speech, made during the autumn of 1882, he violently attacked the record of the Republican candidate who stood for a reëlection in that congressional district. By no means in favor of General Butler, who gained on this canvass an election as governor of Massachusetts, he refused in an open letter an invitation to the Plymouth celebration of December because that governor-elect would be there. In the presidential campaign of 1884 he took a still more zealous part, making eloquent and effective speeches for Cleveland in more than one state and running for Congress in his home district on the anti-Blaine ticket, but failing of success. He gloried now in the name of "mugwump," whose claims he humorously upheld in both prose and verse. By this time he had become widely renowned as an effective speaker at political gatherings, rattling, vigorous, frank and witty, having an incisive style and manner peculiarly his own.

Yet our head master varied still in the place and theme of his eloquence. He would as before attend teachers' conventions and preach at church on an occasional Sunday. In 1885 he delivered the Fourth of July oration at Quincy. Once in 1886 he preached at Harvard's college chapel. In 1887 he delivered a memorial address on the great statesman, his kinsman, lately deceased, Charles Francis Adams. In 1889 he accepted an invitation to Winchester as the Fourth of July orator. That same year he stood in Quincy for the Massachusetts senate on an anti-Harrison ticket, but his Republican adversary won at the polls.

By this time bold and aggressive in politics and well known as an effective partisan and speaker for the independent Democrats, Dr. Everett, in the congressional campaign of 1890, went outside his home environment altogether, where Republicanism appeared too strongly intrenched, and undertook to capture the seventh or Essex district of the state, having accepted a non-resident nomination from the Democrats. His canvass there was vigorous and courageous, his Republican

opponent being Henry Cabot Lodge. Making almost single-handed a gallant fight, he reduced largely the majority of his influential and talented opponent, which of itself was a notable victory. He claimed on this canvass that while his adversary ran as a resident of the remotest corner of that district, he himself could appeal to constituents as one whose paternal name stood for one of its flourishing cities. A second time, in 1892, which was the presidential year, Everett was Lodge's opponent for Congress, and again his adversary won. But the Republican legislature of 1893 now promoting Lodge to the United States Senate, a special election for representative was held in the seventh district in April, 1893, and Everett, once more entering the canvass, prevailed over his new opponent by a close but confirmed majority consisting of less than twenty votes.

This was the most auspicious opportunity of Everett's whole life. Could he but have kept a firm hold upon his new constituents for two or more successive terms, confirming their good will and confidence, he would surely have become at Washington a national figure and best fulfilled his high ideals of service to his fellow-men. He had talents, independence, fearlessness in debate and the happy gift of making himself interesting by his racy way of putting things. His vote on all questions would have been honestly given and founded in fair reason. His unique and somewhat eccentric personality would have impressed fellow-representatives and the people. But unfortunately his first term of legislative service proved the last, and the fault was partly his own, for he neither took up his residence in the district he represented nor sought to make himself as familiar with the wants and wishes of his supporters as he should have done. He made some admirable speeches in Congress, conducted himself in public with discretion and voted wisely. As he stated in his maiden effort, here was his first appearance in any legislative body. And so indeed had it been with Daniel Webster; but Webster's congressional life had frequent renewals. Under any circumstances Everett might have lost an immediate reëlection in a district so closely divided politically, but indifference to his constituents made his failure sure and permanent. Standing, rightly enough, upon the "anti-spoils" doctrine, he rigidly refused to take any part in the local distribution of executive patronage under

President Cleveland, even where his advice was asked. Nor, probably, was he tactful or conciliating when refusing to concern himself in such matters or to do errands at the departments upon request. The district delegations sent to Washington to get a river and harbor appropriation were disappointed in him. For political management or organization, in truth, he showed neither taste nor skill. Macaulay might have kept an Edinburgh constituency true to him in the British House of Commons while holding himself personally aloof, but a seat in the House at Washington is not readily assured by a non-resident of his district who stands solely upon a national record.

Convinced by September, 1894, that his party would not nominate him again, Dr. Everett now notified the electors of the seventh district by a letter published in the Boston press that he withdrew his name as a candidate. When the district convention of the Democrats met, the next day, not only was another candidate nominated for the coming term but a simple vote of thanks to their present representative failed of passage. By way of partial consolation, the Republican nominee, his former adversary, won at the polls in November. And so did Everett's star for public service and distinction drop from the political sky before it had found time to brighten.

Dr. Everett never could win at the ballot box in his own district or neighborhood. And as for political office, state or national, none under one party executive or another is known to have been tendered him. He sacrificed much to serve in Congress for this single term. He had resigned from Adams Academy, and a young friend now filled his former place as head master there. He preached or lectured during the next three years, as occasion might offer, and wrote for the magazines. At one time he thought of opening an office to practise law; at another of arranging for lecture work with the manager of some lyceum bureau. He tried, but in vain, to gain a connection with the Greek department of Harvard. But his renown was still conspicuous in his native state. At the Bunker Hill anniversary of 1896 he delivered a notable oration, which he repeated before audiences in Cambridge and Philadelphia. He repudiated Bryan and free silver in the presidential campaign of 1896, nor would he support the Republican candidate. When others advised him to prefer the lesser of two

evils, he responded that of two evils he had been taught in childhood to choose neither. His voice and vote went eventually to the gold Democratic ticket of Palmer and Buckner.

His successor at the Adams Academy having died suddenly, Dr. Everett once more resumed the head mastership in 1897. In June, 1899, he was chosen to Harvard's Board of Overseers, a compliment he highly appreciated. That same year he delivered a course of lectures on John Milton before the Lowell Institute, whose audiences he often entertained during his life on one literary theme or another. The Lowells, as he wrote a friend in 1909, were always kind and considerate to him, and in the space of forty-five years he had given seven Institute courses on various subjects, at their invitation — a record scarcely equalled in his estimation. His audiences were made up of cultured and sympathetic admirers in this Boston vicinity, before whom he would discourse on the poets or read extracts in his freest and happiest vein.

Of his long and laborious work at the head of Adams Academy Dr. Everett felt justly proud. In September, 1899, not long after he had been placed in charge for the second time, he boasted of thirty-eight new pupils added to thirty-two old ones — all but one of them Quincy boys. That he might pursue faithfully his work here of juvenile instruction, which interfered much with pleasurable trips elsewhere, he made much sacrifice. "For this," as he wrote, "I have renounced amusement, travel and society. I love the school infinitely better than Harvard or the Boston Latin School or anything but dear old Trinity College, England." And he adds: "Schoolmasters are the worst paid, the hardest worked and the poorest thanked men in the country."

Few of his contemporaries appear to have noticed how closely identified was Dr. Everett with juvenile literature, in the course of his diversified career. He published, at one time or another, three well-written books for boys, besides contributing an occasional sketch or story to children's periodicals. From his college days onward he showed much fondness for well-bred boys who showed him deference and respect. Many such, whether his pupils or not, learned to accost him with confidence and wrote him loving letters. To the end of his life he acknowledged the happiness all such friendships with a younger set had afforded him.

Forsaking at length the range of active politics, Everett henceforth gave his attention rather to political problems in their broader and more general relation to good citizenship. In June, 1900, he pronounced at Cambridge a remarkable Phi Beta Kappa address on "Patriotism" — the noblest and ablest written production, perhaps, of his whole life. Opposing in argument that fallacy of blind self-devotion misnamed good citizenship — "our country, right or wrong" — he upheld against all unrighteous war the love of truth and of God as paramount for nations and individuals. This address aroused so wide an interest that the Peace Society of Friends in Philadelphia printed and circulated at their own cost five thousand copies. In 1904 Dr. Everett's Lowell Institute course dealt with the Italian poets since Dante; and these lectures, which a New York publishing firm issued in book form, were also widely read and enjoyed as an inspiring production. For the tercentenary anniversary of the birth of John Milton in December, 1908, which was celebrated in this city under the auspices of the Massachusetts Historical Society, he delivered with dignity and effect a masterly oration upon the grand Puritan poet. All these three literary compositions were of his best.

By this time, however, our distinguished fellow-member had begun to fail in health, strenuous and strained in mental activity as he had always shown himself. The limit of threescore years and ten proved nearly the destined bound of his busy career. His death appears to have been somewhat hastened by personal anxieties and disappointment. In 1907 sad announcement was made that Adams Academy would not reopen for the autumn; and in fact its doors now closed permanently, efforts having failed whether for adding new endowments or to induce the Quincy authorities to make the school an annex of some sort for the public education of its youth. This signal failure of his most continuous work in life was not due to any mismanagement on the head master's part — so those best cognizant have asserted — but rather to circumstances over which he had no control. To revive and cheer him in this emergency, an invitation now came to him from Cambridge, England, to give a university course on the British orators. Accepting this timely offer, Dr. Everett crossed the ocean in 1908 to fulfil his engagement, but his health broke down

and he returned home with the course but partly delivered. The Lowell Institute, however, arranged in 1909 that he should give that interrupted course entire before a Boston audience in the autumn. He did so and with pronounced success. But by this time he was so feeble that he had to be carried up and down the staircase of Huntington Hall and to sit while he addressed his hearers. It was a pathetic sight when the lecturer, despite all bodily infirmity, rose to his feet at the close of his final lecture and said with prophetic forecast that this was his last appearance before the Lowell Institute.

Still mentally alert, William Everett now failed rapidly in physical health from week to week. He consulted as to passing the coming winter at Bermuda, but remained at home. At last he took to his bed, bade farewell to the world and such friends as had been constant to him, turned his face to the wall and breathed his last peacefully on the 16th of February, 1910. Scarcely a month before he died, the authorities of Quincy, as though regretful of their recent disregard of a famous fellow-citizen, chose him manager of the Adams Academy for a year; but the appointment came too late to be more than a passing tribute of appreciation.

No characterization of William Everett, so brilliant in mental gifts and yet so singular, can be complete which fails to take into account the peculiar range of his domestic life. He never married, nor in manhood came strongly under woman's influence, and yet he mostly kept house, as one who values the privacy of his own home. Hence his individuality became pronounced, as the years went on, and his mannerisms grew. No tender and coequal companion of the other sex watched his progress, to aid or advise; nor had he masculine associates, intimate and devoted, who might assume to guide him. Strongly impulsive by nature, and inclined to say and do whatever first prompted him, he had to learn habitual reflection and self-restraint by harsh experience. Earnest to be true to himself and at the same time successful in influencing others, he largely overcame some early faults; but others grew with mature years, making intercourse difficult with him and obstructing his chosen pathway. His best friends made allowance for him and were constant in sympathy, even when hurt by his casual rudeness and want of delicate consideration;

they wished him a success commensurate with his talents and aspirations. But others who also understood him would flatter, cajole and humor him; and, if coöperating in politics, they let him lead the forlorn hope, but did not share with him the more substantial honors. Everett was abnormally sensitive, zealous and frank; what he strove after he made quite clear to others by seeking their assistance. He was much warmer-hearted than most who met him thought. He would express himself impulsively, and whenever in an irritable mood harshly and impatiently; yet they who responded good-naturedly would recall him to himself, while to those who answered with corresponding roughness he showed himself ready repeatedly to make amends. Most frequently, however, the person offended by his inopportune brusqueness took it in silence, and, holding no further intercourse with him, became a personal enemy.

Great mental power and nervous excitability were combined in this picturesque personage and dominated in whatever he said or wrote. He announced himself simply as he felt; he was sincere at heart, and, whether in politics, education or religion, the standards he stood for were of the highest. His scholarship was profound and accurate, and on critical points in language or classical lore his vocation as a school teacher kept him in constant equipment where others naturally deaden in their acquisitions through long disuse. While holding himself high socially, as he had a good right to do, and associating most with those of rank and culture, he was by no means disdainful of the average of mankind, as he sometimes appeared to be. He did many spontaneous acts of kindness in various directions as his generous nature prompted. He valued highly all applause that came to him, and, watchful of the immediate impression produced, he was anxious at all times to be reported fully and correctly and be well understood by hearers or readers. He has been charged with a want of continuous application to his task; but the difficulty seems to have been rather in a diffusion of his efforts; for many of his occasional addresses, books and lecture courses must have cost him much continuous preparation. Yet with one so much bent upon producing an immediate effect, mental concentration upon longer and larger tasks, such, for instance, as the proposed biography of his father, must have failed of full opportunity.

It occasioned much regret to Dr. Everett and his friends that Harvard never conferred upon him an honorary degree. His classmates in 1905 petitioned in vain on his behalf for such a distinction. But the Doctorate which his alma mater denied him was bestowed upon him by Williams College in 1893 and by Dartmouth in 1901. With his much earlier Ph.D. at Harvard, won in course, he was sufficiently a "Doctor" in common parlance for most of his mature life to gain from that academic title all that it might be practically worth to him in the community. By that title he always liked to be accosted, while as for "Professor," his dislike became so inveterate as time went on (so his correspondence shows) that he would denounce comparative strangers for addressing him thus by letter, heedless, to their astonishment, of the familiar maxim "once a Professor always a Professor." His term in Congress entitled him to the further prefix, at choice, of "Honorable," and to this he seems not to have been adverse.

It may be worth while, perhaps, to add in this connection that Everett had a decided opinion concerning the familiar use of his Christian name by those entitled to familiarity. He liked the nickname of "Bill" or "Billy," which his pupils would sometimes use in speaking of him among themselves. "I don't like to be called 'Will,'" he wrote to a friend in 1909, "and I hate 'William.' William is a Sabbath School prig, with no fun, no life, no heart in him. Will is almost a rowdy, a boy who will cut a ride, tumble off and then come into the parlor fresh from the road and bolt out of the dining room as soon as he has gobbled his dinner. I bless those that call me 'Bill.'" All this may seem rather fanciful, but it was characteristic.

Our distinguished fellow-member did not disregard his own faults, nor was he wanting in habits of self-examination and the resolve to reform whatever might be amiss. He acknowledged on a last retrospect that he had been "very blunt, sometimes reaching roughness and rudeness." Yet others, he complained, had shown toward him a want of tenderness and had been rough and rude in a more overbearing way. For his career in Washington, all too brief, he had set a careful watch upon himself. "When I went to Congress," he wrote in 1909, "I made and kept a solemn resolution that I would never indulge in any sarcasm or give way to any impulse to retort

in debate. The result was that I was on warm terms with dozens of bitter opponents in politics."

In temperament, manners, dress and personal appearance, William Everett was as unlike his illustrious father as possible. Both, however, had great gifts of scholarship, and each, after his own style, was an eloquent and captivating orator. In dignity, grace and a becoming impressiveness of thought and expression, Edward Everett was the superior of the two; but the son surpassed him in ready wit, pointedness, vivacity and a certain energy of gesture and delivery which was peculiarly his own. Both father and son wrote well, but while the one confined himself to sedate and stately prose the other bubbled over both in prose and verse, and in style could be grave or gay, as the mood moved him. The son's reverence for his father was supreme.[1]

William Everett's views on the subject of war were emphatic in the last years of his life, and they gave the profoundest and most memorable expression to the political opinions he has left behind. Our momentary misunderstanding with Great Britain during President Cleveland's second term, and the later war with Spain, moved him to dwell much in thought upon such a theme. To his stirring Phi Beta Kappa oration on "Patriotism" allusion has already been made, and his depth of feeling therein shown found a later outlet in the poem "Peace or War?—A Vision," which he privately composed and printed in 1909. That poem, apparently the last

[1] President Eliot is the authority for the following story on that subject:

"Edward Everett had been in the habit of presenting annually to Harvard College a handsomely bound copy of his Orations, to be given as a 'detur' to the first scholar near the beginning of the Sophomore year. In 1869, President Eliot, when distributing the deturs, thought he observed that the first scholar would have preferred to Everett's Orations the second or third detur, as they stood in order upon the table. The next year, therefore, he gave the highest scholar his choice among the few best deturs; and the first scholar did not select Everett's Orations. William Everett, after his father's death, had continued his father's practice. The fact that in 1870 Everett's Orations had not gone to the first scholar came to William Everett's ears; whereupon he hastened to Cambridge, and informed President Eliot that he would not present a copy of his father's Orations annually to the College, unless it could always go to the highest scholar. The President declining to make this promise, William Everett announced that he should no longer present to the College annually his father's Orations, and added, in explanation of his indignation, that Everett's Orations would be remembered when those of Cicero and Burke were forgotten."

literary effort of his life, beautiful and uplifting in argument and allegory, has never attracted the attention it deserved, for when he died, soon after composing it, America was at peace. But to-day, while civilized Europe closes in a deadly and exhausting struggle while our own country stands in perilous jeopardy of being drawn into an international conflict as in 1812, to maintain its neutral rights, the warning of that poem comes like a voice from the grave. As Everett wrote of himself in 1909, he had been brought up with an admiration for the heroes and heroic fights of Greek and Roman story. But a friend set him thinking otherwise in early manhood, by a suggestion that, as duels had already gone out of fashion for individuals, so perhaps would war hereafter as a means of arbitrament, where nations differed; and by this time his personal views were wholly reversed. "Whatever war may have been in the past," he writes, "I believe it now to be a sin, a crime, and a blunder in all cases."

Nevertheless, Everett's last outlook upon human progress was not a disheartened one. "I am no optimist," he expressed himself in this same letter; "I always see faults; but I am no pessimist either."

Note. In the preparation of this Memoir, full use has been made of the William Everett collection of manuscripts now in the library of this Society. That collection consists of letters received by our late fellow-member, but there are no drafts of letters sent by him, nor diaries, nor autobiographical memoranda of any kind. The few letters specially quoted in these pages were written by Dr. Everett, not long before his death, to his college classmate and life-long friend, James H. Fay, Esquire, who has kindly allowed the present use of them. The Boston *Evening Transcript* of February 17, 1910, devoted a whole page of many columns to anecdotes and personal estimates of the deceased, highly interesting and full of choice biographical material.

Charles Francis Adams, our President, was to have joined in the completion of the present Memoir, but death prevented. The following extracts are made from his statement in the Boston *Evening Transcript*, February, 1910, concerning his noted kinsman: "His life was a tragedy. He always had the dream of a long career in the public service like his distinguished father, Edward Everett, but it was destined never to come true. . . . He was temperamentally unfitted for the practical things of life, and he failed where others with only a fraction of his great ability succeeded. He rivalled Macaulay in his power of memory, but he lacked the faculty for sustained work. His poems are admirable, but he was too impatient for immediate results to work for a lasting reputation as a literary man, consequently his output was fragmentary. . . . He was a man of the kindliest nature, despite his abnormal sensitiveness, and the stories of his remarkable devotion to Quincy Academy are true." [J. S.]

NOVEMBER MEETING.

THE stated meeting was held on Thursday, the 11th instant, at three o'clock, P. M.; the PRESIDENT, Mr. LODGE, in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library since the last meeting.

The Cabinet-Keeper reported gifts as follows:

Photograph of a portrait of John Brown by D. J. Gue, of Washington, D. C., from the artist; photographs of John Powell and Mrs. John Powell, both from paintings by Copley, from Mr. Aemelius Jarvis, Toronto, Canada; an album of photographs of European celebrities and of United States Consuls in foreign ports, 1863, 1864, collected by the late Rear-Admiral George Henry Preble, from his daughter, Miss Susie Z. Preble; proofs of engravings of buildings of the Old Colony Trust Company, Boston, issued on the twenty-fifth anniversary of the Company, from Francis R. Hart; a colored engraving of "B. Franklin, of Philadelphia," from H. B. Morse, of Arden, England; an engraving of John Quincy Adams, by Andrews, from a painting by Healy; and a photograph of Frederick Francis Baury, U. S. N., with other relics, from Mrs. Mary B. Rathbone.

A framed medallion, in plaster, of Dr. F. J. Gall, with a bas-relief of J. G. Spurzheim by W. Bally; an oil painting of Spurzheim by Cephas G. Thompson, Boston, February, 1833, and one of George Combe painted by Daniel Macnee, September, 1836; and framed engravings of Isaac Barré, James Buchanan, John C. Calhoun, Rufus Choate, Henry Clay, Edward Everett, Andrew Jackson, Franklin Pierce, Zadock Pratt, Wellington and Nelson; and busts in plaster of Clay and Webster, all once owned by the late Nahum Capen, from his daughter, Mrs. Shelton Barry, of Boston.

Medals of the Stoneham High School, from W. C. Whitcher; of the Boston Social Union, from the Union; the Daniels Medal, in silver, from Dr. A. C. Daniels; the Montana medal at the Panama International Exposition, from William Sumner Appleton; and of the Massasoit Memorial of the Order of Red Men, from Arthur Lord.

The Corresponding Secretary reported the receipt of letters from George Parker Winship accepting his election as a Resident Member of the Society, and from Henry Osborn Taylor accepting his election as a Corresponding Member.

The Editor reported the following gifts:

From Mary W. Parkinson, manuscript diaries of Rev. Peter Thacher (1752–1802), for seventeen years pastor of the Brattle Street Church, and one of the founders of this Society. These diaries are for the years 1773, 1780–81, 1784–85, 1798–99, but in no instance are complete for any one year. Mrs. Parkinson received them from the heirs of Miss Hannah Washburn, of Ludlow, Vermont, a great-granddaughter of Dr. Thacher. With these originals are transcripts of his diaries for 1772–73, 1793–95, and 1797–98, deposited for the purpose of making copies for the Society.

From Loring W. Puffer, letters to Ellis Ames on historical and genealogical matters.

From Mrs. Charles H. Joy, grants and deeds of lands in Georgia and Virginia, and a letter-patent issued to David Dodge for an improved method of extracting oil from seeds.

It was voted that Article 5 of Chapter VIII of the By-Laws, authorizing the appointment of an Assistant Librarian, be amended by striking out the words "not members of the Society."

The PRESIDENT announced that the Council deemed it advisable that the vacancy in the Vice-Presidency occasioned by the death of Governor Long be filled, and had directed him to appoint a committee to nominate a candidate for that office to be voted for at the next meeting. He appointed Messrs. Wendell, Bradford, Howe, Kellen, and Edes.

The President announced the death of Arthur Theodore Lyman. He was chosen a member of the Society, October 10, 1901, and at the time of his death at his home in Waltham on October 24 stood thirty-fifth in seniority on the Resident Roll. He was seldom present at the meetings of the Society, and had made no communications during his membership. He served as the additional member of the Council from April, 1904, to April, 1905.

Professor WENDELL presented the following tribute:

A slight accident deprives me of the privilege of coming this afternoon to pay my tribute to a singularly happy mem-

ory. The facts of Mr. Lyman's life, and the range of his many interests and responsibilities, will be recorded elsewhere. All I can attempt is briefly to indicate some of the features which made him in life one on whom we could surely depend.

It was in his official character, as President of the Boston Athenæum, that I saw him oftenest and most. At first sight, his extreme quietness of manner and his gentle reticence of speech were not impressive. All the deeper one found the impression he finally made. His unobtrusive presence was always and faithfully watchful; when the moment came to state a fact, he would state it so simply that only reflection would reveal to you the precision and the grasp of the mental processes needful for this excellent condensation; when the moment came for advice or for decision, he would give it just as simply and just as admirably. Above all things, the years made one feel, this man was of the few who can watchfully wait and bravely act. Few men, I think, ever were more true to the duty which life placed before them. Few, when called upon to think or to do, can ever have been found less wanting. He had the self-mastery, the courage, and the deep simplicity of a great gentleman.

Such a memory as he has left us is not only happy in itself; it is more deeply happy still, if so may be, as an example of what gracious strength of character can come into being, and pass through life from origins and amid surroundings purely American. More than many lives eminent in history, such a life as his justifies our country.

The PRESIDENT then read a letter from Mr. ENDICOTT communicating a letter from Earl Granville to Sir Cecil Arthur Spring Rice, and giving its history as follows:

ENDICOTT TO HENRY CABOT LODGE.

Nov. 10th, 1915.

DEAR SIR, — I am requested by the Right Hon. Cecil Arthur Spring Rice, the British Ambassador in Washington, to present to the Massachusetts Historical Society through you the enclosed letter written by Lord Granville to him on April 10th, 1887. As far as I can remember the circumstances, under which the letter was written, are as follows: My father, who was then Secretary of War in Cleveland's first administration, and Sir Cecil, were

present at a dinner in Washington at which Mr. John Chandler Bancroft Davis asserted that in 1862 the Emperor of the French wished to recognize the Southern Confederacy, provided he could obtain the co-operation of England; that the French Ambassador in London was instructed to approach the English Government on the subject; that the question of recognition was discussed by the English Cabinet and defeated by a vote of seven against six. My father as well as Sir Cecil, who knows a great deal of the history of those times, through his relations with prominent statesmen, rather questioned this statement. Mr. Davis was sure of his information, but agreed that Sir Cecil should write Lord Granville on the subject. This letter is the reply received thereto. Yours very truly,

WILLIAM C. ENDICOTT.

EARL GRANVILLE TO C. A. SPRING RICE.

WALMER CASTLE, DEAL. April 10, [18]87.

DEAR SPRING RICE, — Sanderson tells me that you ask on Mr. Bancroft Davis' behalf whether I can confirm the statement that in 1862 the Emperor Napoleon intended to insert a paragraph in his speech, announcing that he intended to recognize the Southern States, that he communicated this intention to Lord Russell in the hope that a similar paragraph would be put into the Queen's Speech, that the proposal was discussed, and rejected by a majority of seven against six, and that the idea was consequently abandoned by the French Emperor.

My recollection is that the Emperor in 1862 was in favour of a recognition of the Southern States and that one of his confidential advisers, M. de Persigny, was strongly of that opinion.

M. de Flahault was instructed officially to propose that Great Britain, Russia and France should endeavour both at Washington, and with the Confederate States, to bring about a suspension of arms for six months.

This was declined by Lord Russell in a reasoned dispatch.[1]

Mr. Gladstone, the Duke of Argyll and I are certain that no division was taken in the Cabinet.

There were different shades of opinion, but the Cabinet was agreed as to the practical course to be taken.

Some proposal for recognition was made by the Emperor, but neither Mr. Gladstone, the Duke of Argyll or I feel certain as to the exact form. Yours sincerely,

GRANVILLE.

[1] A copy of this dispatch, dated November 13, 1862, printed as a Parliamentary paper, accompanies this letter.

Mr. MORISON read a chapter from his forthcoming *History of Massachusetts*, in the "American Commonwealth," entitled "The Orthodox Faith of the Seventeenth Century," in which he expressed the opinion that Calvinism suffered a sea-change before it reached New England, and that the first generation of Massachusetts divines hesitated to present the doctrine in the uncompromising spirit of its founder. He also communicated the following notes and documents on

DU PONT, TALLEYRAND, AND THE FRENCH SPOLIATIONS.

The most critical period in the history of relations between France and the United States came in the year 1798. In retaliation for what it deemed treachery on America's part in ratifying Jay's treaty with England, the Directory authorized extensive spoliations on American commerce. Redress was twice sought at Paris through diplomatic channels, but in vain; sympathy with the French Republic was so strong in America, particularly in the Democratic party, that the Directory believed the risk of war to be negligible. But the publication in Philadelphia in April, 1798, of the famous "X. Y. Z. dispatches," revealing the indignities to which our envoys had been subjected in Paris, sent a wave of resentment throughout the country. Congress responded by authorizing naval retaliations against French armed vessels, and by taking measures of preparedness for war. An open conflict between the two republics would have vitally affected the future of the United States; possibly of France as well. The Hamiltonian Federalists were eager for an opportunity to join the crusade against French democracy, to enter the European system, to send an army into Louisiana and Mexico, and, under the cover of war's necessities, to strengthen the Federal government and discipline the American people. All depended on whether or not the Directory accepted their challenge by declaring war, for the Hamiltonians did not feel sufficiently certain of their domestic strength to let it appear that the American government was the aggressor. Whatever, then, influenced the policy of France at this critical moment for the sister republics is decidedly worth bringing to light.

The following report (*mémoire*) from Victor Du Pont to

Talleyrand was a peaceful influence of the first importance, as the accompanying documents prove.[1] In addition, the report gives an unusually vivid account, by one in a position to know, of the famous French spoliations; of the methods of colonial privateers and prize courts. It exposes the American policy of France, the value of American neutrality to the Republic, and her designs on Louisiana. It reveals the quiet but effective influence exerted by Jefferson to prevent a war which he feared would compromise the future not only of his country, but of republican institutions.

Victor-Marie Du Pont was the elder son of Pierre-Samuel Du Pont de Nemours, and one of the founders of the Delaware family of Du Pont.[2] After occupying a number of minor diplomatic and consular posts at Philadelphia, he was appointed in July, 1795, French consul at Charleston. This was the American port most favored by French privateers, both on account of its proximity to the West Indies and the friendly attitude of the local authorities. Early in 1798 Du Pont was appointed consul general of the French Republic at Philadelphia, to succeed Létombe.[3] But he did not arrive at his post until May, 1798, in the midst of the excitement and war preparations following the X. Y. Z. disclosure, and was re-

[1] I wish to express my thanks to the Directors of the Archives Nationales and of the Archives du Ministère des Affaires Étrangères for their courtesy in permitting me to examine and to publish these documents. Professor J. A. James has noted the importance of Du Pont's *mémoire* in the *Mississippi Valley Historical Review*, I. 54.

[2] He was born in 1767, was attached to the French legation at Philadelphia, from 1787 to 1789, returned to America in June, 1791, with Ternant, the last minister of Louis XVI to the United States, and was employed in the consulate general at Philadelphia until 1793, when he returned to France. After brief service under the Commission des Relations Extérieurs in Paris he was sent out to America a third time as first secretary under Adet, and by him appointed to the Charleston consulate to replace the incompetent Fonspertuis. This appointment was subsequently confirmed by the Directory. Du Pont seems to have been on terms of confidence with Talleyrand, whom he probably met in Philadelphia. He settled permanently in the United States in 1800. *Appleton's Cyclopaedia of American Biography; National Cyclopaedia of American Biography*, VI. 455; F. Masson, *Le Département des Affaires Étrangères*, 333; *Annual Report of the American Historical Association*, 1903, II. 192, 761.

[3] Talleyrand wrote Du Pont on November 15, 1797, that Létombe's political dispatches were unsatisfactory, and that he depended on him (Du Pont) to furnish the government with official documents and Congressional debates. Archives du Ministère des Affaires Étrangères, "Correspondance Politique, États-Unis," vol. 48, fol. 360.

fused his exequatur by President Adams.[1] On June 7, after securing an interview with Jefferson,[2] and gathering as much political information as possible, Du Pont sailed for France on the cartel ship *Benjamin Franklin*, together with Volney and other compatriots who were fleeing before the storm.[3] They arrived at Bordeaux on July 3, just preceded by news of the growing war spirit in the United States, and the retaliatory acts passed by Congress.[4] This news was an unpleasant surprise to Talleyrand;[5] it upset his calculations of the strength of pro-gallicanism in America. As war with the United States was the last thing he desired, he was now disposed to pay some attention to the principal American grievance — the spoliations — and addressed the following inquiry to Du Pont:

RELATIONS EXTÉRIEURES. PARIS le 28 Messidor an 6. [16 July, 1798]

ci-joint la réponse du Cen. Dupont

Le Ministre des Relations Extérieures au Cit. Dupont ci-devant Consul, chargé du Consulat général de la République Française près les États-Unis.

Vous arrivez des États-Unis, citoyen, et votre traversée a été prompte. Votre situation vous a mis à même de connaître à fonds l'état moral du pays, avant votre départ. Veuillez vous occuper d'un rapport précis sur cet objet.

Mais je vous en demande un autre que je désire avoir promptement. Il paraît qu'une fermentation générale règne dans les ports américains et que le Président l'a faite concourir aux mesures qu'il recommande ou fait suggérer aux deux chambres législatives. Quels sont les actes des croiseurs français sur leurs côtes et dans les

[1] Jefferson, *Writings* (Ford), VII. 262.

[2] See *infra*, p. 75 *n.*

[3] Cf. Volney's letters to La Révellière-Lépeaux in *Annales Révolutionnaires*, III. 185–87.

[4] This news reached Bayonne on June 28, by the same vessel that brought Kosciuszko from America. T. Korzon, *Kościuszco*, 502; cf. *Writings of John Q. Adams*, II. 354 *n.*; *Report of the American Historical Association*, 1912, 433.

[5] Talleyrand wrote Létombe on September 1, 1797, just before the arrival of the American envoys in Paris: "Il est vraisemblable que ce qui ce passe aujourd'hui, en leur [les États de l'Est] donnant une idée des moyens que nous avons de leur nuire leur inspirera quelques ménagements à notre égard." Archives du Ministère des Affaires Étrangères, "Correspondance Politique, États-Unis," vol. 48, fol. 214. Cf. Talleyrand's postscript of July 15, 1798, to his letter of July 12 to Gerry (Wait's *State Papers*, III. 363); his letter of July 9 to Pichon (*Works of John Adams*, VIII. 684); American news in the *Moniteur*, 22, 26 and 29 Messidor, An. VI; and *Writings of J. Q. Adams*, II. 342 *n.*

Antilles dont ils se plaignent? Quels sont les procédés des tribunaux coloniaux et des consuls dans les États-Unis à l'égard des prises? De quelle manière enfin sont exécutés dans les mers lointaines les arrêtés du Directoire Exécutif qui autorisent dans de certains cas, l'arrestation des neutres en général, et des américains en particulier?

Salut et Fraternité.[1]

Dupont replied as follows:

VICTOR DU PONT AU CITOYEN TALLEYRAND MINISTRE DES RELATIONS EXTÉRIEURES.[2]

PARIS 3 Thermidor An six de la République.
[21 July, 1798.]

CITOYEN MINISTRE, — J'ai reçu votre lettre du 28 messidor par laquelle vous me demandez sur l'état actuel des États-Unis un rapport que je me disposais à vous présenter.

Vous désirez plus promptement quelques détails sur les actes de nos croiseurs français dont les États-Unis se plaignent.

Il paraît, Citoyen Ministre, que les représentations que mes collègues dans les États-Unis et moi avons addressées à vous et à votre prédécesseur, sur la conduite de nos corsaires dans les mers d'Amérique, ne sont jamais parvenues.[3] Il paraît que le Directoire ignore encore que leurs excès ont été sans bornes, et aussi contraires aux principes de la justice qu'à ceux d'une saine politique.

Je n'hésiterai donc point à déclarer hautement que je considère la conduite des corsaires français, ou soi-disant français des Antilles, comme une des principales causes du refroidissement graduel des Américains à notre égard, et de la fermentation de l'effervescence

[1] Archives du Ministère des Affaires Étrangères, "Correspondance Politique, États-Unis," vol. 50, fol. 68. Unsigned draft. It is not to be inferred from this letter that Talleyrand at the time of writing was ignorant of the French spoliations. Frequent references to them in the Paris newspapers and in the archives anterior to this date show that both he and the Directory were in possession of the essential facts, though much that Du Pont related was doubtless new to them. Talleyrand was simply calling for information upon which to base an appeal to the Directory for restraining the corsairs, a step which the news from America had convinced him to be necessary in order to avoid war. As minister of foreign relations Talleyrand was little more than chief clerk of his department; the Directors controlled the foreign policy of the Republic.

[2] "Correspondance Politique, États-Unis," vol. 50, fols. 99–106. A. L. S.

[3] It is at present impossible to find out whether or not these reports arrived, since the consular correspondence in the French archives is not yet open to investigators. Létombe, the consul general at Philadelphia, also sent a report on the spoliations of which no notice was taken. Wait's *State Papers*, III. 407; "Correspondance Politique, États-Unis," vol. 51, fol. 193.

générale qui règnent aujourd'hui contre nous dans les villes de commerce et dans tout le pays situé le long des côtes: effervescence que nos ennemis ne cessent d'entretenir et d'exciter et qui sert de prétexte et d'appui aux mesures hostiles que le gouvernement des États-Unis a promis à l'Angleterre d'adopter contre nous, et qui peut conduire naturellement à une rupture, à une guerre longue et cruelle entre les deux Républiques.

Vous me demandez des faits, Citoyen Ministre; ils se présentent en foule à ma mémoire, et je ne suis embarrassé que sur le choix. On ferait des volumes de la collection des actes de violence, de brigandage, de pirateries commis par des croiseurs français, ou sous pavillon français, dans les mers d'Amérique, principalement dirigés contre le commerce américain, et qui, loin d'avoir été réprimés par les agents de la République à Saint-Domingue et à la Guadeloupe, ont presque toujours été excités ou protégés par eux.

Je commencerai par les abus sans nombres qui sont résultés des commissions de corsaires signées et delivrées *en blanc* par les Commandants, Agents et Délégués de la République; leurs commis en faisaient un trafic honteux, elles arrivaient ensuite aux États-Unis, où elles devenaient plus ouvertement un objet de commerce. J'ai trouvé beaucoup de ces commissions en blanc dans les effets de plusieurs marins corsaires morts à Charleston et entr'autres d'un nommé *Fite* et du fameux *Moulinier* dit *Bouteille;* elles étaient signées Étienne Laveaux et Perroud.

En germinal de l'an cinq un nommé *Granier*, ancien maire de la partie française de Saint-Martin, arrivé à Charleston sur la flute *La Lourde* ayant été déporté de Saint-Domingue par les commissaires délégués, apporta des commissions signées d'eux et en vendit une *cinq cents piastres* en assurant qu'elle lui avait couté presqu' autant dans la colonie. Dès l'origine de ces commissions en blanc, et lorsque l'on sut que l'on s'en procurait facilement dans les bureaux à Saint-Domingue, des corsaires trouvèrent plus simple et moins couteux d'en faire imprimer dans les États-Unis et d'y contrefaire les signatures. J'en ai arrêté ainsi plusieurs imprimées à Charleston, avant qu'il y eût une imprimerie française dans cette ville, et avec des caractères anglais sans accent sur les *é*.

Ces commissions couvraient, en cas de prise par les ennemis, les armements illicites et secrets faits dans les États-Unis même, et depuis la paix avec l'Espagne, dans les Florides et autres possessions espagnoles, par des flibustiers de toutes les nations, qui, étant entièrement inconnus, ne donnaient, ni ne pouvaient donner aucun gage de leur bonne conduite. Ils n'avaient point fourni de cautionnement ni rempli aucune des autres formalités sagement exigées

par toutes les lois faites pour réprimer les abus de cette exécrable institution appellée *la course.*

Aux États-Unis ces hommes partaient ainsi dans de petits bâtiments furtivement armés, prenant un rôle sous des noms supposés; aux colonies un grand nombre de citoyens de couleur sortaient dans des barges ou bateaux sans autres armes que de mauvais fusils. Ils arrêtaient tous les bâtiments non armés, pillaient l'argent et les effets des passagers, quelques ballots de marchandises sèches si le navire en était chargé, et partageaient ensuite leur butin à l'embouchure des rivières ou dans les anses sur la côte. En brumaire de l'an 4, j'ai fait arrêter à Charleston un nommé *Cauvin* maître d'équipage et deux matelots qui avaient ainsi pillé des Américains venants de la Nouvelle Orléans, et je leur ai fait restituer leur part du pillage.

Souvent plus hardis, ces prétendus corsaires amarinaient des bâtiments supposés ennemis et les amenaient en vertu de leurs fausses commissions dans les ports des États-Unis et dans les ports des colonies espagnoles. Si les agents de la République dans ces ports eussent fait leur devoir, il eût été facile de reconnaître et d'arrêter ces prétendus corsaires, de saisir leurs prises, et de faire passer leurs équipages sur les bâtiments de la République où ils eussent été bien plus utiles. Mais plusieurs fonctionnaires fermaient les yeux avec une complaisance ou une faiblesse déplacée, et les protégeaient sous prétexte qu'ils se rendaient utiles en détruisant le commerce de nos ennemis, sans observer qu'ils détruisaient aussi souvent celui de nos amis, et compromettaient ainsi le nom et le pavillon français.

Dans les colonies espagnoles c'était et c'est encore bien pire. Les agents qui y ont été envoyés par les Commissaires délégués, et qui prennent le titre de Consuls, et s'arrogent le droit de condamner les prises, sont presque tous capitaines, agents et armateurs de corsaires; nous avons à Porto Rico un nommé *Paris*, capitaine d'un des premiers corsaires armés dans les États-Unis, qui en possède encore plusieurs, et qui n'a cessé de faire la course en personne que lorsqu'il a été nommé *agent* et chargé d'instruire les procés des prises que ces corsaires amènent dans cette île espagnole; et qui sont pour la plupart américaines. Les agents dans les îles neutres du vent sont tous également intéressés dans la course.

À Charleston je me suis attiré l'animadversion de tous les corsaires navigants ou administrants, parce que j'ai cherché à ramener à la subordination, et à l'exécution des lois tous les bâtiments particuliers qui y ont relachés. J'ai fait arrêter et vendre en Georgie pour le compte de la République un corsaire nommé la *Jeune Créole* qui n'avait point de papiers, qui avait fait un pillage con-

sidérable sur des Espagnols et des Américains, et dont l'équipage s'est sauvé à temps en apprenant mes résolutions à leur sujet. J'ai arrêté une goélette armée nommée le *Gruper* qui avait acheté sa commission à Charleston, comme il a été déclaré en chancellerie, par l'agent de ce prétendu corsaire et par le nommé Agar qui en était capitaine. J'ai retenu la commission grattée et surchargée d'un autre corsaire nommé le *Hennique*, Capitaine *Moreau Michel;* ce dernier n'osant même pas aller à Saint-Domingue, et espérant obtenir à prix d'argent dans les États-Unis la condamnation de plusieures prises qu'il avait menées à la Nouvelle-Orléans, où il n'y avait point alors d'agent français. J'ai écrit au gouverneur espagnol pour le prier de faire relâcher une de ces prises qui était américaine, et de conserver les prises anglaises dont la valeur devait appartenir à la République. J'aurais saisi et confisqué également deux prises anglaises amenées à Wilmington dans la Caroline du Nord par un soi-disant corsaire français nommé la *Bellone*, appartenant à Messieurs *Nadeau* et *Boutê*, et dont la commission était évidemment fausse, si le consulat général ne se fut attribué la haute main sur ces prises.

Longtemps avant que l'on connût en Amérique les diverses lois et arrêtés qui restreignent le commerce des neutres, des mesures beaucoup plus rigoureuses que celles déterminées par ces lois étaient mises à exécution contre les Américains. Ceux-ci se dégoutaient tous les jours du commerce des ports français des Antilles, où leurs cargaisons étaient saisies par les administrations qui ne leur laissaient pas la permission de vendre aux particuliers, qui les taxaient à un prix fort au dessous de leur veritable valeur, qui ne les payaient presque jamais, ou leur faisaient attendre souvent six mois et plus des traites sur France qui n'étaient pas payées, ou qui l'étaient en papier-monnaie dépréciée. Quelquefois les administrations délivraient en retour des productions coloniales, mais taxées aussi par elles, et à un prix plus haut que le cours. Plusieurs négociants, et principalement tous ceux qui nous étaient dévoués, furent entièrement ruinés par cette conduite. D'autres, effrayés, rallentirent et cessèrent peu à peu leurs envois. Ils les dirigèrent alors de préférence vers les ports anglais où ils étaient régulièrement payés, où ils pouvaient vendre à qui bon leur semblait.

Les agents de la République dans les Antilles ne virent dans cette prédilection (qui fut même tardive) pour les possessions anglaises que les traces d'une politique dévouée à nos ennemis, qu'un esprit de haine et d'éloignement pour nos principes et notre gouvernement. Ils auraient dû y voir aussi la marche naturelle du commerce, qui calcule ses propres intérêts préférablement à ceux des nations, et qui ne peut pas vouloir perdre.

Dès lors les Américains furent traités en quelque sorte comme ennemis. Le commissaire Hugues ne faisait plus respecter de navires américains que ceux qui lui étaient éxpédiés directement par les agents particuliers qu'il entretenait à New York et à Baltimore. Les corsaires de la Guadeloupe prenaient tous les autres indistinctement, et approvisionaient ainsi la colonie. Les matelots américains étaient jettés dans les prisons pêle-mêle avec les Anglais; on en échangea quelques uns, et l'on voulait en échanger davantage contre nos matelots avec les Anglais. Ceux-ci, toujours habiles à profiter de nos fautes, et à faire tourner à leur avantage tout ce qui pouvait nous nuire dans l'esprit des Américains, renvoyèrent ces marins; et cela fit un grand effet, et donna une vive animosité contre nous.

À Saint-Domingue on adoptait à peu près la même marche. Il suffisait qu'un bâtiment américain fût expédié pour un port ennemi, ou en vint, pour être considéré comme de bonne prise. On en condamna un au Cap venant de Madère, appartenant à une maison américaine de Charleston, et chargé de vin pour le compte des principaux citoyens de cette ville.

Il n'y avait à Saint-Domingue pendant un certain temps ni tribunal de commerce, ni cour d'amirauté pour faire l'application des lois aux prises mises en jugement. Les rapports sur les prises étaient faits par les secrétaires particuliers des Commissaires. La commission était sensée de juger, mais l'intrigue et l'influence des corsaires sur les subalternes, les commis, les alentours de la commission, tous intéressés dans ces armements, fut aussi évidente que naturelle. Plusieurs officiers de la République arrivants de Saint-Domingue à Charleston me rapportèrent à ce sujet des faits trop vraisemblables; mais que je ne répète pas parceque je n'ai d'autre preuve que leur assertion.

Ce qu'il y a de certain, est que presque tous, pour ne pas dire tous les bâtiments rencontrés, étaient arrêtés et ensuite condamnés sous les prétextes les plus frivoles, et même ceux qui avaient été bien et dûment expédiés pour les ports français. Tantôt c'était parceque le bâtiment avait fait un voyage quelque temps auparavant dans un port anglais ou rebelle, sans observer qu'il n'était pas fretté alors pour le compte des mêmes négociants. Tantôt parceque le capitaine quoique naturalisé depuis longtemps était né en Irlande ou ailleurs. Tantôt parceque le subrécargue était français, réfugié de Saint-Domingue aux États-Unis, et par conséquent soupçonné d'émigration. Tantôt parceque ces bâtiments visités par des frégates anglaises avaient reçu l'ordre, qu'ils n'avaient pu refuser à la force d'inscrire sur leur registre, de faire voile pour le Môle ou pour Jérémie. Quelques-uns des bâtiments expédiés de Charleston par *des maisons françaises* naturalisées, et d'après mes

vives sollicitations, et parceque la Commission m'avait écrit qu'elle manquait de vivres, furent également *condamnés*, malgré mes passeports et mes lettres de recommandations.

Tous ces jugements ressemblent parfaitement à ceux rendus à la Providence et à la Bermude il y a trois ans, et les excèdent même de beaucoup en subtilités; mais les Américains observent que les Anglais n'avaient point alors de traités avec eux; et les Anglais ont quitté habilement ce genre de conduite au moment ou nous l'avons adopté, afin de tirer tout le parti possible pour leurs intérêts et leur influence dans les États-Unis, du mécontentement que nos mesures y excitaient.

La dignité des États-Unis est aussi souvent compromise par des violations de territoire presqu'aussi fréquentes que les violations des propriétés particulières, et dont l'effet pouvait être moins sensible à la classe commerçante, mais l'était bien davantage à nos amis, aux Républicains fiers de leur indépendance comme nation. Un corsaire de la Guadeloupe tira un boulet dans la Delaware sur un Américain qui sortait de Philadelphie, et un de ces boulets cassa le bras d'une malheureuse femme française passagère à bord de cet Américain, et qu'il fallut mettre à terre dans la rivière. À Charleston un autre corsaire vint bruler dans la rade, après l'avoir pillé, un navire Anglais du convoi de la Jamaïque, qui s'était réfugié après un gros temps et réparait ses avaries. Quantité de prises américaines furent faites par ces corsaires, sur les côtes des États-Unis, dans leurs eaux, dans leurs baies, dans leurs rivières.

Voilà, Citoyen Ministre, des faits et des griefs qui n'ont aucun rapport avec l'exécution des arrêtés du Directoire exécutif ni avec les lois qui autorisent dans certains cas l'arrestation des neutres en général et des américains en particulier. Ces vexations, loin d'avoir été autorisées par le Directoire ne sont même pas connues de lui; il ne peut donc qu'être très utile de les désavouer publiquement.

S'il m'était permis d'ajouter au récit de ce qui se passe dans les Antilles et sur les côtes des États-Unis, quelques détails qui m'ont été donnés à Bordeaux par des négociants français, et qu'il vous sera facile de vérifier sur les prises conduites dans nos ports de France; je vous observerais, Citoyen Ministre, qu'il paraît qu'ici comme en Amérique les États-Unis ont eu à se plaindre de l'extension donnée aux arrêtés et aux lois, et de la manière dont elles sont appliquées par les tribunaux, et que les Américains se plaignent en effet beaucoup plus de cette conduite partiale et arbitraire que des lois elles-mêmes, qui portent un caractère de généralité. Les lois restreignent le commerce de tous les neutres, une nation n'a pas plus à réclamer contre elle que l'autre; mais l'arbitraire des jugements guidés par l'esprit de prévention qui règne contre les Améri-

cains les offense personellement, et ruine des individus qui, ayant pris toutes les précautions nécessaires pour se conformer à nos lois, ne devraient rien avoir à craindre. Tantôt on a donné un effet rétroactif à la loi, sur les marchandises anglaises, et l'on a confisqué des bâtiments partis longtemps avant qu'elle fût connue. Tantôt on a condamné les prises parceque les corsaires au lieu de mettre les scellés sur tous les papiers en ont détruit ou soustrait une partie ce qui a été constaté ensuite, mais trop tard, à ce qu'ont prétendu les juges. Dans une autre circonstance un navire a été déclaré de bonne prise parceque deux experts ont décidé dans leur sagesse qu'un baril de clous était marchandise anglaise, quoique rien ne pût le faire soupçonner tel; et qu'au contraire il fût constant qu'il était de fabrique américaine, car les Américains ont beaucoup de très bonnes fabriques de clous, et ils ont appris des Anglais à les très bien faire. J'abuserais de votre patience, Citoyen Ministre, en multipliant davantage les exemples. Ils sont innombrables, et ce n'est pas tout à fait sans raison que les Américains vexés, ruinés par de pareils jugements se persuadent que les corsaires dominent partout, même dans les tribunaux de commerce.[1]

On a sur les mers, et dans nos ports traités les Américains comme ennemis; c'était un moyen sûr de les rendre tels.

Ce système de guerre, de persécution, de spoliation au delà des lois, contre les neutres, est certainement contraire aux intentions véritables de notre gouvernement, qui voit très bien qu'en outrepassant les lois on fait dégénérer sa juste sévérité en partialité et en injustice; et l'on tend très dangereusement et d'une manière tout à fait contraire à sa magnanimité et à sa sagesse à changer en ennemis déclarés ou cachés ceux même qui sont et désirent être nos amis sans vouloir cependant partager nos querelles.

Les neutres sont entre les puissances belligérentes des ministres de paix, des moyens de communication precieux, des espèces de *cartels* pour le commerce, qu'il est d'un intérêt commun de respecter. Il est certain que le pavillon américain couvre beaucoup de propriétés anglaises, mais il en couvre aussi beaucoup de françaises; et vous n'ignorez pas, Citoyen Ministre, que l'embargo actuel retient dans nos ports plusieurs bâtiments appartenants à nos nego-

[1] At the time this letter was written the Directory was already attempting to reform the existing system of French prize law, by virtue of which the tribunals of commerce in the various ports, composed largely of privateer owners, had practically final judgment in prize cases. On May 11, 1798, the Directory submitted to the Corps législatif a report by Talleyrand, who pointed out that these local courts were thus invested with the right to nullify treaties with neutral powers, and proposed a system of administrative prize courts. This reform was strongly opposed by the privateering interests, and was not accomplished until after the fall of the Directory.

ciants et pour lesquels nous ne pouvons pourtant pas faire d'exceptions, de peur de les désigner à nos ennemis. Supposons que par les anciennes liaisons, par le pouvoir de la langue, des goûts, des mœurs, des habitudes, il se trouvât que sur cent bâtiments américains qui prêtent leur pavillon, soixante fussent anglais et quarante seulement français. Faudrait-il pour la différence de ces vingt bâtiments renoncer aux secours, aux avantages que les quarante autres nous donnent; serait-il prudent et bien calculé non seulement de nous en priver, mais de jetter les cent bâtiments dans la balance de l'Angleterre, et dans un moment où nous n'avons ni commerce maritime ni convois pour en protéger un.

La guerre qui se prépare entre les deux Républiques sera funeste à toutes deux, et ceux qui l'auront provoquée des deux côtés en seront responsables à leur pays et à la posterité.

Pour les États-Unis c'est la perte de leur liberté et de leur indépendance. Obligés de s'unir à l'Angleterre, ils n'auront plus le pouvoir de se séparer d'elle. Ils redeviendront une colonie, ou plutôt une branche de la monarchie britannique.

De notre côté en déclarant la guerre aux États-Unis nous ne pouvons nous dissimuler que nous versons plus de vingt mille marins très expérimentés sur les vaisseaux de guerre de l'Angleterre, qui ne manque point de bâtiments mais seulement de bras pour les conduire.[1] Nous n'ignorons pas que nos colonies affamées deviendront bientôt la proie des nouveaux alliés; que celle de nos amis les Espagnols qui touchent aux États-Unis seront bientôt envahies par cette population demi guerrière demi cultivatrice du Territoire de l'Ouest des États-Unis, qui depuis longtemps convoite ces provinces, et a offert alternativement à nous et aux Anglais de les conquérir.

Il nous sera facile et utile d'avoir un jour la Louisiane et les Florides, et ce jour peut être prochain; mais il faut pour cela éviter de donner à l'Angleterre, avant que nous puissions en prendre possession, l'occasion et le moyen de s'en emparer par les forces des Américains, à la faveur d'un simple traité de partage qui pourrait même ne pas engager l'Amérique dans une guerre directe avec l'Espagne.[2]

[1] Talleyrand had already foretold the danger of this in a report to the Directory of June 1, 1798 (Archives Nationales, AF III 64, dossier 263); and the British government, in a despatch of June 8, 1798, to its minister at Philadelphia (Public Record Office, F. O. 5. 22), proposed to lend the United States a naval force to use against France, in return for being supplied with a certain number of seamen for the Royal Navy.

[2] In the same despatch the British government promised to promote American conquest of Louisiana and the Floridas in return for a free hand in San Domingo. Talleyrand at this time was pressing the Spanish government to cede Louisiana to France. *American Historical Review*, x. 276.

Il n'est même que trop vrai que les deux Mexiques ne seraient point en sûreté; qu'une marche de trente jours pourrait y conduire une armée qui passerait pour anglaise, quoique recrutée d'Américains.

Dans une guerre contre nous, et que nous paraîtrions avoir provoquée, nos amis qui pendant la neutralité se prononcent pour nous, n'oseraient plus se déclarer. Ils seraient comme est aujourd'hui le parti de l'opposition en Angleterre, qui cède aux mesures du gouvernement pour ne point paraître manquer de patriotisme.

Il est vrai que les Américains perdraient leur liberté; mais ce serait pour nous, qui la leur avons donnée, un malheur de plus. Nous rendrions donc l'Amérique à l'Angleterre, qui parviendrait en peu d'années à y faire nommer un de ses princes à la place de Président. Nous la lui rendrions du double plus puissante que nous ne la lui avons ôtée, et nous nous priverions au moins pour cette guerre et peut-être pour toujours, des moyens d'abaisser son orgueil et de la mettre au rang des puissances maritimes du second ordre. Une nation qui a derrière elle un refuge comme les États-Unis, qui pourrait y transporter ses richesses et s'y retirer plus redoutable après avoir perdu son île, ne saurait jamais être soumise.

Il est donc dans cette circonstance de notre éminent intérêt d'éviter la guerre avec les États-Unis par tous les moyens compatibles avec l'honneur et la dignité de la République.

Le Directoire verra sans doute notre véritable dignité à nous montrer justes et sages, modérés même, envers un peuple à qui notre nation peut exprimer des sentiments maternels. C'est vis-à-vis de l'Empereur, et des Anglais redoutables par eux-mêmes, que nous avons à déployer une noble fierté. Mais en donnant des marques de bienveillance au peuple américain, ce peuple dont tous les individus lisent, qui juge par lui-même, et dont la majorité voit déjà avec peine certains actes de son gouvernement, sera bien convaincu alors que le tort le plus grave est de son côté; et il changera une partie de ce gouvernement aux élections prochaines, qui ont lieu en automne.

Si au contraire nous les attaquons chez eux, ou si nous continuons seulement à leur faire la guerre sans vouloir les entendre, ou si nous leur demandons après avoir ruiné leur commerce des contributions exorbitantes que l'éloignement ne nous permet pas d'aller lever chez eux; alors ils se réuniront et ils se battront bien, quoiqu'à regret, quoique convaincus que cette guerre sera la perte de leur indépendance et qu'ils seront obligés dans vingt ans de s'insurger encore une fois pour la rétablir.

Il est certain que le gouvernement américain a eu de grands torts avec nous, mais n'en n'avons nous pas eu avec lui? Nos

tribunaux, n'en ont-ils pas eu, et les corsaires qui ont usurpé notre pavillon et se sont conduits en brigands, n'ont-ils pas eu aussi en notre nom des torts que nous devons hautement improuver, que nous devons même punir si les coupables nous tombent sous la main?

Pourquoi n'en conviendrions nous pas? Pourquoi ne témoignerions nous pas notre indignation contre les gens qui s'efforcent d'engager les deux républiques dans une guerre si contraire à leurs maximes et à leurs intérêts? Et quand le gouvernement américain, poussé par l'Angleterre trop interessée à cette querelle, et qui ne ménage ni or ni intrigue pour l'accélérer, vient d'accroître ses torts par des provocations de tous genres; le rôle de la modération, du mépris pour les provocations, de la justice envers tous n'est-il pas le plus honorable à tenir?

Je proposerais donc

1°. De retirer toutes les commissions des corsaires des Antilles, afin de n'en délivrer à l'avenir qu'à des hommes connus, avoués et cautionnés; et de désavouer en même temps, comme ayant été commises par des pirates, toutes les violations de territoire sur la côte des États-Unis, toutes les spoliations commises dans les Antilles.

2°. D'annoncer le dessein de reviser les lois dont tous les neutres se plaignent avec tant de force et tant de raison, et en attendant, soit de retirer aux tribunaux de commerce pour rendre à des cours d'amirauté le jugement des prises, soit de reviser les jugements ou de les surveiller, afin qu'à l'avenir ils ne soient plus marqués au coin de la prévention la plus forte.

3°. De faire savoir au gouvernement des États-Unis que s'ils veulent envoyer soit à Paris soit en Hollande ou en Espagne de nouveaux commissaires, on sera disposé à les reconnaître et à traiter avec eux.

Si je me suis permis, Citoyen Ministre, d'ajouter aux détails que vous me demandiez quelques données sur la manière qui me paraît la plus propre a concilier deux républiques dont la désunion serait aussi fatale; c'est que l'opinion que je viens de manifester est celle des chefs du parti Républicain en Amérique, qui m'ont tous repétés au moment de mon départ qu'eux et la liberté de leur pays étaient perdus, si le Directoire n'adoptait pas une conduite aussi sage que celle du gouvernement fédéral l'était peu.[1] Cette opinion des

[1] Du Pont had had an interview with Jefferson on May 31, 1798. Jefferson, *Writings* (Ford), VII. 262. In his first letter to Talleyrand (July 6), after his arrival in France, Du Pont wrote: "Je vous ferai part, Citoyen Ministre, des conversations confidentielles que j'ai eues la veille de mon départ avec Monsieur Jefferson et plusieurs autres de nos amis; vous verrez que leur espoir est en vous

hommes les plus illustres parmi eux doit être de quelque poids aux yeux du Directoire, et de tous les amis de la liberté en France. Vos lumières, Citoyen Ministre, la connaissance personnelle que vous avez des États-Unis, vous mettent plus à même que personne de juger les circonstances, et d'en tirer le parti le plus favorable aux intérêts et à la gloire de la nation.

Salut et Respect.

V. DU PONT.

Du Pont's strong arguments for avoiding war with the United States were fully appreciated by Talleyrand, who had already reached conclusions similar to those of his correspondent.[1] He was quick to take advantage of the *mémoire*. Elbridge Gerry,[2] who still remained in France, and other friendly Americans [3] were informed that the government had suddenly discovered that things were not as they should be in the West Indies, and that something would be done about it. Within a week Talleyrand sent a copy of Du Pont's letter to the Directory, with the following report.

MINISTÈRE DES RELATIONS EXTÉRIEURES.
RAPPORT AU DIRECTOIRE EXÉCUTIF.

Du 9 Thermidor an 6.
[27 July, 1798.]

Les arrêtés du Directoire Exécutif et les lois qu'il provoque, ont toujours un objet déterminé. Leur exécution doit être précise comme sa pensée. Si elle reste en deçà ou est porté par delà, ce n'est plus lui qui gouverne; ce sont les agents subordonnés et souvent subalternes qui, substituant leurs vues aux siennes, amènent des résultats différents du bien qu'il s'est proposé.

et dans la sagesse, la dignité, la puissance, la modération du Directoire." "Correspondance Politique, États-Unis," vol. 50, fol. 9.

[1] This is evident from his overtures to Gerry and Vans Murray, and his report of June 1, 1798, to the Directory. In this document Talleyrand argues that to declare war on the United States would be to fall into an Anglo-Federalist trap, and urges a policy of temporization in order to enable the French party to triumph in the coming elections. Archives Nationales, AF III 64, dossier 263.

[2] *Talleyrand to Gerry*, July 22, 1798, Wait's *State Papers*, III. 368.

[3] Richard Codman of Boston, one of the American colony of speculators in Paris, wrote Harrison Gray Otis, a leading Federalist congressman, on August 26, that Du Pont's memoir had opened the eyes of the Directory, who now appeared anxious to redress America's grievances. S. E. Morison, *H. G. Otis*, I. 168. John Adams afterwards wrote (*Works*, IX. 243) that Codman's letters had influenced him toward peace. Du Pont also wrote articles against war with America for the Paris press. *Writings of J. Q. Adams*, II. 360–61.

Le gouvernement n'a que trop à se plaindre encore de ce reste de tendance anarchique, et si le Directoire Exécutif s'occupe en général à le faire disparaître, il y veille surtout lorsqu'il s'agit des intérêts extérieurs.

Les mesures réfléchies d'où dépendent la paix ou la guerre avec les nations étrangères, ne peuvent en effet être modifiées arbitrairement dans leur exécution sans les plus graves inconvénients.

Pénétré de cette vérité, le Ministre des Relations Extérieures croit devoir se hâter de mettre sous les yeux du Directoire Exécutif la *copie d'un rapport que vient de lui faire l'Ex-Consul chargé du Consulat Général près des États-Unis*. Cette pièce demande toute son attention. Il y verra quel étrange abus a été fait à son insu dans les mers d'Amérique principalement, des lois et arrêtés qui autorisent dans des cas spécifiés l'arrestation des neutres en général et des Américains en particulier.

La connaissance de ces excès explique enfin la fermentation que le cabinet britannique a trouvé moyen de faire éclater dans les ports des États-Unis, pour achever d'entraîner dans ses vues un gouvernement aigri qu'il a mis dans sa dépendance. On conçoit aujourd'hui ce mouvement soudain imprimé à une partie du peuple américain, et par lui communiqué à une majorité de ses représentants. On ne doit plus être étonné que le Président soit parvenu à faire adopter des mesures repressives. Il y a même lieu de craindre que le cabinet britannique ne réussisse à décider une guerre qui est presque sa dernière ressource.

La sagesse du Directoire Exécutif l'a mis au-dessus des provocations du gouvernement américain, et lui a fait ouvrir de nouvelles voies de conciliation. Mais il n'est pas moins instant de faire cesser les causes de la fermentation introduite parmi le peuple des États-Unis.

Il faut regarder comme actes légaux, les arrestations fondées sur les lois et arrêtés existants; et aussi longtemps que le système actuel à l'égard des neutres, sera jugé nécessaire, laisser en négociation, entre la France et les États-Unis, la partie de leurs plaintes qui tient à ce système. Mais les déprédations, les pirateries, les violations de territoire sont des actes illegaux que le gouvernement français ne peut avouer.

Le Ministre des Relations Extérieures doit se borner à exposer les faits au Directoire Exécutif. C'est aux Ministres de la Marine et de la Justice à concerter les remèdes et une copie du rapport du conseil est adressée à chacun d'eux.[1]

[1] Unsigned draft, "Correspondance Politique, États-Unis," vol. 50, fol. 131.

The ministers of Justice and of the Marine supported Talleyrand's conciliatory policy,[1] and within a few days the Directory met his wishes by promulgating the *arrêté* of the 13 thermidor an 6 (31 July, 1798).[2] This adopted one of Du Pont's suggestions by annulling all existing colonial letters of marque, and ordering the French colonial agents to reissue such documents only to responsible persons. Talleyrand's influence on the wording of this decree is shown by the following note in his hand to the President of the Directory, accompanying a rough draft of the *arrêté* among the Directory's minutes:[3]

Citoyen Président, — Je viens de lire avec toute l'attention dont je suis capable l'arrêté relatif aux armements en courses et aux prises. Mon opinion est qu'il produira le meilleur effet: il me paraît et bien conçu et bien rédigé. Je désirerais seulement qu'en l'article 3 au lieu des mots *îles neutres* on mît *possessions neutres*. Il y a des agents sur le continent américain comme dans les îles d'Amérique, et il importe d'éviter que les premiers ne se croient exceptés. Salut et respect.

Ch. Mau. Talleyrand.

14 Thermidor, An VI.

Je crois que la publication de cet arrêté ne saurait être trop prompte.[4]

The sincerity of this decree was stoutly denied by Pickering, the American Secretary of State, in his report of January 31, 1799. But it was featured by the Democratic press as proof of French amity, and undoubtedly had the favorable effect upon neutral opinion in America that Talleyrand intended. It was the principal text upon which President Adams based his spectacular change of policy a few weeks later, which led to reconciliation with France. By respecting Du Pont's advice, the Directory made it impossible for the Hamiltonian wing of the Federalist party to force a war with France,

[1] "Correspondance Politique, États-Unis," vol. 50, fols. 132–34. Volney undoubtedly added his weight to Du Pont's and Talleyrand's with his friend the Director La Révellière-Lépeaux, whom he saw soon after landing. *Annales Révolutionnaires*, III. 187–88.

[2] Wait's *State Papers*, III. 370.

[3] Archives Nationales, AF III 535, dossier 3533, no. 58.

[4] Murray, at The Hague, received a copy of the decree from Pichon, August 9. Letters of Vans Murray, *Report of the American Historical Association*, 1912, 453.

strengthened the Democratic opposition, and gained time for the peaceful acquisition of Louisiana from Spain.

Professor BASSETT communicated the following paper by Major Joseph Hawley (1723–1788), declining an election to the Senate of Massachusetts.[1] The original, a copy or draft in Major Hawley's handwriting, is in the possession of Prof. John Tappan Stoddard, of Northampton, Mass.

FROM JOSEPH HAWLEY.

TO THE HONORABLE THE SENATE OF MASSACHUSETTS:

MAY IT PLEASE YOUR HONOURS, — The intelligence given me by the writ of summons under the hand of the President of the Council; that I am chosen a Senator by a majority of the Voters of the County of Hampshire affords me a singular pleasure on two accounts. The one is that an election to that high trust by a majority of the unsolicited suffrages of the voters of the County is a genuine proof of the good opinion of the people of my dear County. The other is, that fair occasion that it gives me to bear a free and public testimony against one part of our glorious constitution. I style it glorious, altho', I humbly conceive it has several great blemishes, on account whereof it will, untill corrected, be liable in my poor opinion to very weighty exceptions; but still it remains glorious on account of the great quantity of excellent matter contained in it. That part of the Constitution this event enables me not impertinently to except is the *Condition* or *term* which Constitution holds every one to, who has the honor to be elected a member of the General Court of Massachusetts before he may (as is expressed in the Constitution) *proceed to execute the duties of his place.* Be the person ever so immaculate and exemplary a Christian; altho', he has in his proper place, that is, in the Christian Church, made a most solemn, explicit, and public profession of the Christian Faith, tho' he has an hundred times, and continues perhaps every month in the year, by participating in the Church of the body and blood of Christ practically recognized and affirmed the sincerity of that Profession, yet by the Constitution he is held, before he may be admitted to execute the duties of his office to make and subscribe a profession of the Christian Faith on declaration that he is a Christian. Did our Fathers Confessors imagine, that a man who had not so much fear of God in his heart, as to restrain him from act-

[1] The paper is mentioned by Trumbull, *History of Northampton*, II. 541, and by Bancroft, *History*, V. 155, but has not been printed in full in readily accessible form.

ing dishonestly and knavishly in the trusts of a Senator or Representative would hesitate a moment to subscribe that declaration? *Cui bono* then is the Declaration?

This extraordinary not to say absurd condition, brings fresh to my mind a passage in the life of the pious learned and prudent Mr. John Howe one of the strongest pillars of the dissenting interest in the reign of Charles the 2nd and James the 2nd.[1] The history is as follows, that Mr. Howe waiting upon a certain Bishop, his Lordship presently fell to expostulating with him about his nonconformity. Mr. Howe told him he could not have time without greatly trespassing on his patience to go through the objections he had to make to the terms of Conformity. The Bishop pressed him to name any one that he reckoned to be of weight. He thereupon instanced in the point, reordination. Why pray, Sir, said the Bishop what hurt is there in being twice ordained? Hurt, my Lord, says Mr. Howe to him; the thought is shocking; it *hurts* my understanding. It is an absurdity for nothing has two beginnings. I am sure said he I am a minister [of] Christ and I am ready to debate that matter with your Lordship if you please; and I cannot begin again to be a minister.

Besides this term of executing the duties of the Place is against common right and (as I may say) the natural Franchise of every member of the Commonwealth, who has not by some crime or deliction forfeited his natural Rights and Franchises. It moreover reduces the ninth article of the Declaration of Rights to a mere futility and in such a connection it would be for the reputation of the declaration of rights if that same ninth article was wholly expunged. More than that the said condition is plainly repugnant to the first great article of the said Declaration. I am ready to debate that matter with any Doctor who assisted in framing the Constitution either in convention or without doors. The said Declaration of Faith to be subscribed which constitutes the said impolitick and unrighteous condition will I believe ever sound in every good ear almost as unearthly as the Sessional Justice's famous charge to the standing Grand Jury. Let us hear them successively. I do declare that I believe the Christian Religion and have a firm persuasion of its truth; and that I am seized and possessed in my own right of the property required by the Constitution. Gentlemen of the Grand Jury, you are required by your oath to see to it, that the several towns in the County be provided according to Law with
Pounds and Schoolmaster, Whipping posts and Ministers. Each containing an odd jumble of sacred and profane; but to me the charge gingles best: By the Constitution of the Commonwealth of

[1] See *Dictionary of National Biography*, XXVIII. 85.

Massachusetts I am, may it please your Honors one of the Senators and I am strongly disposed according to my poor abilities, to execute the duties of my office but [by] the unconscionable not to say dishonorable terms established by the same constitution, I am barred from endeavouring to perform these duties. I have been a professed Christian nearly 40 years, and altho I have been guilty of many things unworthy of that character whereof I am ashamed; yet I am not conscious that I have been guilty of anything wholly inconsistent with the truth of that profession. The laws under the first charter required of the subjects of that State in order to their enjoying some privileges that they should be members in full communion of some Christian Church. But it never was before required in the Massachusetts Bay that a subject in order to his enjoying or exercising any Franchise or office should make profession of the Christian Religion before a temporal court. May it please your honors,

We have all heard of a Lieut. Govr. of the Massachusetts Bay and some of us have known him very well who contended long and earnestly that he had a right to a seat in council without a voice.

I imagine I can maintain a better argument than he did, that I have a right to a seat in the Senate of Massachusetts without a voice, but at present I shall not attempt to take it.

I am, may it please your Honors, with the greatest respect to the Senate, Your most obedient humble servant,

JOSEPH HAWLEY.

Octr. 28th, 1780.

LETTERS OF RUFUS KING.

Of the following letters of Rufus King, the three addressed to Jonathan Jackson are given by Mrs. Frederick C. Shattuck; the fourth, addressed to Dr. Kilham is supplied by Mr. Charles Moore, of Detroit, Michigan, from the original in the possession of Miss Susan Rose Dodge, of Summit, New Jersey.

RUFUS KING TO DANIEL KILHAM.[1]

BOSTON, 18 February, 1784.

DEAR KILHAM, — By the Gazette you learn that the def. Treaty is at last ratified by Congress:[2] the General Court are now agitat-

[1] Daniel Kilham (1753–1841) was a member of this Society from 1798 to 1830, when he resigned. See Allen, *History of Wenham*, 145.

[2] The Treaty was ratified by the Continental Congress, January 14, 1784, and proclamation was at once made. *Secret Journals*, III. 433.

ing the propriety and calculating the expense of some public exhibition of joy accompanying the proclamation of the peace completed. Some say it has become an old story, others reply, that, granting the Fact, it will still bear telling again and again: how the question will be determined is perhaps immaterial, but the spirit which governs very generally here is very pitiful and I fear will prove prejudicial.[1] Notwithstanding a liberality of sentiment upon some subjects and a general toleration of almost all opinions, *excepting political*, prevails, is it certain that there is not a great deal to be corrected? The ability of the country is substantial — her debts are trivial; but there is a parsimony, which many in office call Republicanism, that casts an ill feature upon all public Doings. This mistaken sentiment of political economy, checks all public grants to the Servants of Government, and in effect, discourages men of abilities from qualifying themselves for national departments; of consequence, the State is badly served: When Justice is withheld from those who have ably and faithfully served the public, little is to be expected from such a Government in favor of the Arts and Sciences, and the prevailing spirit above referred to, I fear, will wholly suppress an institution which I could wish at least attempted — I mean that of a Botanical Garden at Cambridge.

By a letter from St. John, the French Consul at New York, addressed to President Willard, of Dart' Holyoke, as Pres. of the Academy, it appears that the King of France in aid of such an institution has directed his minister to communicate to the University at Cambridge, in Massachusetts, that, as a testimony of the respect he bears to that University and to enable them to effect a purpose ornamental, as well as beneficial, he will (by their permission) cause to be sent and transported to them annually, at the proper season, *free from every charge*, the annual seeds and plants of his own Royal Gardens of every description. No answer has been yet made.[2] It strikes many persons agreeably, and it is supposed that the purpose would be very extensively practical at Cambridge. Amongst a few friends I have heard the subject canvassed, and my own sentiments have been flattered in the frequent observation of others, that should the institution be attempted, it

[1] A celebration took place February 27. An account of it is in the *Independent Chronicle*, March 4, 1784. Some "paintings" or transparencies on political subjects, by Samuel King, were shown, probably gross caricatures. They were shown on the balcony of Col. John Marston, State Street, and at the Philadelphia Coffee House by Capt. David Porter.

[2] The offer was not accepted. "The embarrassments of the period," says Quincy, "both political and financial, afforded an ample apology for the rejection of these applications." *History of Harvard University*, II. 267.

would be most safely trusted to your protection and guidance. Could a fund be established that would give an independent annuity to a man of Genius and letters, for his attention to such an institution, I should feel most happy in seeing you in such a character. I have some sentiments upon the practicability that I will waive until we meet; perhaps the matter is not so Utopian as you may imagine. I am anxious to attempt something for the medical profession; I wish, although it is small, that it may succeed — something like a General infirmary at Cambridge, to be under your care,[1] etc. This last idea you will receive in confidence. Should you meet with my good Parson Bass,[2] congratulate him for me on this intelligence, viz: "His Holiness the Pope[3] has caused to be written to Congress, a letter congratulatory upon the peace and independence of the United States and, to convince *them* of the sincerity of his congratulations, informs, that as the English Church have a special union with their Civil Government in the King of the one being ahead of the other, and as a difficulty from that source may be in the way of a regular ordination of Ministers of the Gospel in the United States thro' the English Bishops, he offers to ordain such person or persons as Congress shall designate as Bishop or Bishops in the United States, by the true Apostolic imposition of hands, and agreeable to such ritual as Congress may adopt." This information is true. I expect in a few days, a copy of the letter. But your patience nor friendship can be no apology for me, in adding, except, that I am, with the utmost sincerity your friend and humble serv. RUFUS KING.

RUFUS KING TO JONATHAN JACKSON.

NEW YORK, 22 April, 1786.

DEAR SIR, — Whether your foreign correspondence has furnished you with two arrets of the King of France, one of the 18. and the

[1] Dr. Kilham was never connected with Harvard University or any infirmary in Cambridge.

[2] Edward Bass (1726–1803), of the Episcopal Church and later Bishop of Massachusetts.

[3] Pius VI. No mention of such a letter is in the printed *Journals of the Continental Congress*. Mr. John C. Fitzpatrick, of the Manuscripts Division, Library of Congress, to whom the question was made, writes: "Everything points to the fact that King is referring to a letter of July 28, 1783, from the Papal Nuncio at Paris to Franklin, enclosing a note on the subject of an Apostolic Delegate to the United States. You will find this letter of transmittal and the enclosed note in Wharton's *Diplomatic Correspondence of the American Revolution*, VI. 614; but King's information was not entirely correct, as the congratulatory sentences are not present. It does not seem to us possible that there is another letter meant by King than this. The original is in the Department of State, Washington."

other of the 25. of September last relative to the cod Fishery, or if you possess them, whether their operation will in any degree affect your mercantile arrangements, I am unable to determine; if your individual interest is not concerned, that of some of your friends may be, and as these Regulations may not be within your or their knowledge, I find a sufficient apology in communicating to you the substance of them.

The arret of the 18th of September grants a bounty of ten livres the quintal upon all dried cod Fish the produce of the french Fishery and introduced into the French West Indies in French bottoms navigated by the King's subjects; and five livres the quintal upon all such Fish introduced in like manner into any of the Ports of Portugal, Spain, or Italy; the arret of the 25th of September imposes a Duty of five livres the quintal upon all dried cod Fish imported in the French West Indies, by any stranger, or in any foreign bottom.

These arrets are now translating in the office of foreign Affairs. I will transmit to you copies of them as soon as they are finished. The policy of these measures is most obvious, and ought to be a new motive with the several States to vest the power of regulating commerce in some body governed by a single will, and whose authority would be sufficient to reciprocate these disadvantages to the power imposing them.

At the same time that France adopts these measures to encourage her cod Fishery, and thereby establishes her marine; she is desirous of promoting the whale Fishery of America, lest England, her most powerful Rival, should exclusively possess it. The facility lately given to the introduction of Whale oil into France originates in this principle; and in consequence of the Relaxation of the French laws in favor of strangers, England may continue her Duty upon foreign oils, and yet we shall not want a good market for ours. A number of Papers on this subject, and relating to the contract of Mr. Barret,[1] which I received from Mr. Adams by the last British Packet, I shall transmit by this post to Mr. Tracy,[2] and beg leave to refer you to them for the information they contain; a paragraph in one of the letters of the M. de la Fayette mentions the probability of the completion of the contract proposed by Mr. Tracy for the supply of Naval Stores. I most heartily wish its accomplishment, because I conclude it will be advantageous.

[1] Nathaniel Barrett.

[2] Nathaniel Tracy. The firm of Jackson, Tracy and Tracy had become involved, and Jonathan Jackson and Nathaniel Tracy had gone to Europe in their ship *Ceres*, to arrange with their creditors. Thomas Jefferson went as passenger on this voyage, having been appointed Minister to France.

I intended to have presented to you and Mr. Tracy my congratulations upon your safe return from Europe, but *indispensable engagements* having delayed it for some weeks after that event, I found myself out of time, and therefore neglected what I wished, and ought to have done. I thank you for your polite letter by Mr. Emery, and hope that ere long he will be entirely satisfied on the subject of his memorial to congress; It will always afford me pleasure to promote your views or those of your friends.

I intreat you to present my most respectful compliments to Mrs. Jackson. I was rejoiced a few days since by hearing that her health is better than for some time past it has been. I hope it will continue to improve. I flatter myself with the idea of paying my personal respects to you both in the early part of the approaching summer.

With perfect consideration I have the honor to be, Dear Sir, your obedt. and very h'ble servt.

RUFUS KING.

RUFUS KING TO JONATHAN JACKSON.

NEW YORK, 11 June, 1785.

DEAR SIR, — I intended sooner to have replied to yours of the 10th ult. but have been disappointed from post to post until this time. I wish, most sincerely, that your opinions concerning the manners, and Government of our country were more general, than I think they are. The views of individuals are so various, and the imaginary interests of the States are so opposite, that without the Danger of some Evil that will affect each member of the Confederacy, a reasonable Hope cannot be indulged of a Reform.

The situation of the federal Government is now critical; the authority of the confederation is found to be inadequate to bring money into the common Treasury, and the credit of the States is not sufficient to procure loans at home or abroad: indeed if the public credit was better, it could not, in my Judgment, be reconciled to the principles of common honesty to borrow, without foreseeing the means of Repayment.

In this condition every inconvenience, which can flow from a violation of national engagements, and a loss of national character, might justly fall on our Country.

The embarrassments of commerce are better known to you than me. I cannot discover how the merchants of America, can bear a competition with Foreigners. No commercial nation will regret our disjointed condition, or wish the States to unite in any system of commerce. Every partizan of France or England residing among

us, uses his utmost exertions to inspire the People of the different States with jealousies of each other; and some of them have even sounded the alarm that the liberties of the People were endangered by the plan of delegating additional powers to congress.

How long the most valuable, and important, interests of the States, will continue to be sacrificed to these unfounded jealousies, cannot exactly be determined; but it is not possible that the public affairs can be in a much worse situation, and there is therefore consolation in the reflection that they will not long remain as they are.

I fear that the commercial convention proposed to be held in Maryland in September, will go but a little way in effecting those measures essentially necessary for the prosperity and safety of the States. Georgia and South Carolina have not appointed Delegates; and their legislatures will not be in Session before the winter. Maryland has not appointed; although the convention is to be in that State. The Assembly of North Carolina have not elected Delegates, but it is said that the executive of that State has nominated persons for the office. It is doubtful what the real sentiments of Virginia are on the question of *commercial powers*. This is certain, that the proposition for the Annapolis convention, which originated in the Assembly of Virginia, did not come from the persons favorable to a commercial system common to all the States, but from those, who in opposition to such a general system have advocated the particular regulations of individual States. The merchants through all the States are of one mind, and in favor of a national system. The planters in the Southern States are divided in their opinions and it is to be feared that the majority is against the only plan, which can insure the prosperity and honor of the confederacy.

Your ideas of the French Trade correspond with mine; their Farms, and Monopolies, are hostile to liberal commerce. How the experiment of American Oil will answer is very doubtful. The Marquis and Mr. Adams think that it will be a great acquisition to procure a longer time than January 1787 for the introduction of American Oil under the Reduction of Duties. The Duty exacted from strangers is 36 Livres, 15 Sous, the barrel of 500 lb. French weight. This Duty on the same quantity is reduced to 11 Livres, 5 Sous or about 2 livres for every English hundred weight, on all American Oil imported before January 1787.

This relaxation is stated to be an indulgence; but it ought however to be remembered, that this sum is precisely the same as that, which is stipulated, in an ancient treaty between France and the Hanse Towns, to be paid on oil imported into France by the Hanseatic merchants, and consequently, since the Treaty between the United States and France gives to each the rights of the most

favored nation, that the merchants of the former have a right to inport into France their Oil on the same terms as the Hanseatic merchants.

The monopoly of Tobacco by the Farmers General was the subject of the letter written by Mr. Jefferson, to which the Marquis alludes. I have taken an Abstract of the letter and will inclose it. It produced no beneficial effect; little attention was probably paid to it; the Reform would have affected the Farmers General, whose influence has been sufficient heretofore to shake a minister in his Office.

Mr. de Calonne at this time would be particularly careful to stand well with all men of influence about the court, being apprehensive lest Necker should displace him, and again come into the Department of Finance. But it is time that I put an end to Politicks. Mrs. King joins me in respectful compliments to Mrs. Jackson, and in sincere wishes that the present season may prove favorable to her health. Mr. and Mrs. Guild passed us to the Southward without our knowledge, although I had learnt by a French Gentleman from Boston, some time before, that they were coming this way. Unfortunately Mrs. King was confined the two or three days they stayed here, on their return to Boston. They left us a few days since and I hope will arrive safe. Mr. Gerry and myself have strengthened our defence by the acquisition of our common friend Mr. Osgood.[1] I hope we shall be able to justify ourselves without calling in the Assistance of '*Advocates*'; this would appear too much like countenancing "*the Order*." With sentiments of Respect, I have the honor to be, Dear Sir, Your most obedt. servt.

RUFUS KING.

RUFUS KING TO JONATHAN JACKSON.

NEW YORK, 3 Sep: 1786.

DEAR SIR, — Mr. Cabot's information relative to the Spanish commercial regulations is very satisfactory; I find it corresponds with the best accounts I have been able to collect on the subject, and Mr. Gardoqui himself confirms it.

A Treaty with Spain is at this time a desirable Event; if the present situation is preferable to a rupture with Spain, a Treaty between us must not be long delayed. The boundaries of their and our territories, remain to be ascertained; they claim extensive tracts of country within the limits of the United States as fixed by the Treaty of Peace and Friendship with Great Britain; we insist on the right of freely navigating the Mississippi from its source to the Ocean,

[1] Samuel Osgood (1748–1813).

they deny this right and refuse us the navigation where both banks are in the possession of Spain. The rapid settlement of the western country, more particularly on the Ohio and that part of Georgia, which is adjacent to the Mississippi, urges a decision of these interfering claims and Pretensions. As Time is more favorable to young than old nations, policy would warrant delay — but these western adventurers will not suffer it. They at this time hold a bold language, are yearly making almost incredible accessions of strength, and their own particular interest is to them as to all others the active principle of their conduct. If therefore our disputes with Spain are not settled, we shall be obliged either wholly to give up the western Settlers or join *them* in an issue of Force with the Catholic King: the latter we are in no condition to think of, the former would be impolitic for many reasons, and cannot with safety be *now* admitted, although very few men who have examined the subject will refuse their assent to the opinion that every Citizen of the Atlantic States, who emigrates to the westward of the Allegany is a total loss to our confederacy.

Nature has severed the two countries by a vast and extensive chain of mountains, interest and convenience will keep them separate, and the feeble policy of our disjointed Government will not be able to unite them. For these reasons I have ever been opposed to encouragements of western emigrants. The States situated on the Atlantic are not sufficiently populous, and loosing our men, is loosing our greatest Source of Wealth.

But what is wealth in Governments imperfect as ours are? Indeed, my Dear Sir, your opinions on this subject are but too well founded, and you may be assured that the ablest and most discerning men in these states, are anxiously affected with the Difficulties which you so feelingly and properly describe. What can be done is the question. The answer is various. Some say, and the opinion is extensive, infuse a new portion of strength into the confederation and all will be well. But it should be remembered that the pressure of a common Calamity which induced the present confederation is now removed, that the individual States are governed by their particular interests. These stand. or are supposed to stand, in opposition to each other, and, so long as the idea obtains, will prevent Unanimity in any opinion concerning the corroboration of the Federal Constitution.

Others, and by no means the least respectable, answer, that nothing can be done in our present form; that the Error lies in the original plan. Diminish say they the number of States, let those which are to be established be nearly equal, reform their Constitutions, give their Governments more energy, the Laws more stabil-

ity, the magistrates greater authority and responsibility, let the State Governments be confined to concerns merely internal: and let there be a federal Government with a vigorous Executive, wise Legislative, and independent Judicial. They tell you that a league or confederation between so many small, and unequal, Sovereignties never did, or can, answer the views of its Patrons. They illustrate, by affirming that the Greek Republics were finally melted down, and united, under one Head — that in France and Spain, which were formerly each divided into as many independent States or Sovereignties as they now contain Provinces, the People did not find their happiness in these small divisions, but sought it under their present form — that the Heptarchy, or seven Saxon Kingdoms, of England were finally united by Egbert, and that peace and happiness then succeeded to treasons, insurrections, and wars, which made up the history of that famed Confederacy.

It must not be understood that these remarks authorize an opinion that a monarchy would promote the happiness of the people of America — far, very far from it. But they show this; if wise and prudent men discerning the imperfections of the present Governments, do not in season and without fear, propose suitable remedies, the causes which changed the Governments alluded to may, and probably will, change those of America. Since a convention must assemble at Annapolis I am glad that Delegates will attend from Massachusetts. I hope extraordinary as the measure is, that it may issue more favorably than I have ever expected.

Neither Chancellor Livingston nor Mr. Duane will attend; they are very little concerned in the politics of the present times. Mr. Madison of Virginia has been here for some time past, he will attend the convention. He does not discover or propose any other plan than that of investing congress with full powers for the regulation of commerce foreign and domestic. But this power will run deep into the authorities of the individual States, and can never be well exercised without a federal Judicial. The reform must necessarily be extensive.

I will not add on these subjects — we must wait events. I hoped long before this to have been in Boston with Mrs. King. But we are yet to be delayed. Mr. Sedgwick left us a few days since on account of his health. I can not break up the representation of the State, which would be the case in my absence. I wait the return of Mr. Dane. Be pleased to present my respectful compliments to Mrs. Jackson, and be assured that I am with high Respect, Dear Sir, your obt. and very humble servt.

RUFUS KING.

C. Savage to Samuel Savage.

Baltimore January 23, 1809.

Dr father, — I have written you from the Capital, and now only advise you that the embargo is to come off in June next.[1] What will be the measure next adopted by our knowing administration, I dont calculate; but am induced to think we shall have *no* war wth England; tho' we probably shall have a temporary non-intercourse. Mr. Jefferson says the people of our state conduct singularly. I think they will soon conduct in plurality, at least as respects the embargo. Have just got accounts tis coming off very fast Eastward. Am glad of it. I go to Philadelphia this day, where I shall tarry 48 hours and then home as fast as I can. I wish you may be at Boston when I get there. I could tell you considerable of the world here; but I don't think 't would afford you much pleasure, or advance your opinion favouring it. Yesterday I dined with Gen'l [Henry] Dearborn and *lady* — who is a *foolish* woman. Gen'l Smith of N C,[2] Mrs. Madison and sister, and others; spent last evening at the Comptrollers, Mr. Duvall, who are the ton at W[ashington]. Every lady but Mr. Jefferson's were there. Indeed I have enjoyed the society of all the distinguished characters there, and on the whole am able to determine much of their characters. Jefferson received me politely and conversed with me half an hour. He is the only man I have expressed my political sentiments to while there, and that was in consequence of his erroneous belief as relates to our general sentiments respecting the embargo in Massachusetts. He surprised me by his ignorance in those respects. He believes half the feds. in Boston favour the Em[bar]go. I told him instead of that 's being the case, the whole [of] the feds. and 9–10ths of the demos. cursed the law. His eyes struck fire; he dropped the subject, after saying it must come off. The Vice president [George Clinton] is most outrageous against the Embargo. Says 't is damning the principle of Republicanism.

My best duty to Ma; love to all, your. aff. Son,

C. Savage.

[1] "The House of Representatives passed last night a bill for the meeting of Congress on the 22d of May. This substantially decides the course they mean to pursue; that is, to let the embargo continue till then, when it will cease, and letters of marque and reprisal be issued against such nations as shall not then have repealed their obnoxious edicts. The great majority seem to have made up their minds on this, while there is considerable diversity of opinion on the details of preparation; to wit: naval force, volunteers, army, non-intercourse, etc." *Jefferson to Leiper*, January 21, 1809. The New England and New York members, however, succeeded in having the embargo lifted on March 4.

[2] Benjamin Smith (1750–1829), governor of North Carolina, and major general of militia, 1794–1810.

INSTITUTE OF HISTORICAL RESEARCH

Lucien Carr

MEMOIR

OF

LUCIEN CARR.

By WILLIAM ROSCOE THAYER.

Lucien Carr died at his home, No. 163 Brattle Street, Cambridge, Massachusetts, on January 27, 1915. He was born at Troy, Lincoln County, Missouri, December 15, 1829. His earliest paternal ancestor in this country was Captain William Carr, Gent., born June 13, 1707, died October 21, 1760. His son, Captain Walter Chiles Carr (born November 1, 1756, died December 5, 1838), married Elizabeth Chiles (born November 7, 1755, died June 7, 1847). Their son, Charles Carr (born October 24, 1774, died January, 1869), married Elizabeth Todd (died October 30, 1863). Their son, Alfred W. Carr (born February 4, 1806, died September 15, 1831), married Elizabeth M. Graves (born September 16, 1810, died January 6, 1886). Mr. Lucien Carr was their son.

The Carrs originally settled in Virginia, then crossed the mountains into Kentucky, and finally Mr. Carr's father moved still further west into Missouri. Both of his grandfathers took part in the War of 1812.

Of Charles Carr it is related, "that in 1812, when recruits were called for to fight the North Western Indians, he volunteered and May 5, 1813, at the battle of Fort Meigs he was taken prisoner and robbed of his hat and coat, was forced to 'run the gauntlet' into old Fort Maumee, then crumbling into ruin."

Charles Carr in the face of 1500 armed savages in their war paint had given up all hope of his life when just at this critical moment an unpainted Indian of fine form and noble mien dashed through the old gate way of the Fort, mounted the broken wall and ad-

dressed the Indians, especially the chief, who muttered some words, turned on his heel and strode away. The other Indians retired giving free passage to the river where boats were waiting to carry the prisoners to the British fleet at the mouth of Swan Creek, where now stands Toledo.

The Indian who had saved Carr was Tecumseh.

While Charles Carr thus escaped, Lucien Carr's maternal grandfather, Major Benjamin Graves, met a different fate at nearly the same time. At the battle of Frenchtown on the river Raisin he was taken prisoner by the Indians on January 23, 1813, and carried off. He was never heard from again and probably was killed by the Indians in the general massacre which followed.

For many years after his disappearance, his widow kept a light burning at a window of their home, to greet him in case of his return.

Lucien Carr studied at a Jesuit college and graduated Bachelor of Arts at St. Louis University in 1846. Having marked literary ability he turned to journalism. His stepfather, A. B. Chambers, owned the St. Louis *Missouri Republican* (subsequently *The Republic*) and from 1848 Mr. Carr became connected with that paper. In 1854 he married Miss Cornelia Louisa Crow, daughter of Wayman Crow, whose ancestors were officers in the War of the Revolution. A few years after his marriage Mr. Carr, at the instance of his stepfather, who thought that editorial night work was undermining his health, gave up journalism, and for several years he lived in the country, devoting himself to study. After the outbreak of the Civil War, however, rural life in eastern Missouri was so precarious, not to say dangerous, that he returned to St. Louis.

In 1867 he removed to Cambridge, which was his home for the rest of his life. Having early taken an interest in the study of the Indians and of American archæology, he was soon recognized as an expert in that field, and after the establishment of the Peabody Museum he was closely associated with its work, serving as Assistant Curator of the Museum from 1877 to 1894. During this period he pursued his investigation of the Indians, collected a great deal of material and published various papers and short monographs, which gave him high rank among the then few authorities on the subject.

The titles of the more important of these publications are:

"The Mounds of the Mississippi Valley Historically Considered"; "Prehistoric Remains of Kentucky" (in collaboration with Professor N. S. Shaler); and the following pamphlets: "Exploration of a Mound in Lee County, Virginia"; "Observations on the Crania from Stone Graves in Tennessee"; "The Mascoutins"; "The Food of Certain American Indians"; "Dress and Ornaments of Certain American Indians"; "The Position of Women (Social and Political) among the Huron Iroquois Tribes."

Mr. Carr intended to present his material on the Indians in a single well-coördinated and digested work, which would, we may well believe, have ranked as authoritative; but he delayed composition until the inertia of age had begun to creep upon him, and so, to the general regret of those who knew his capacity and his learning, he left behind him no monument at all adequate to his potentialities.

To the series of American Commonwealths, published by Houghton, Mifflin and Company, he contributed in 1888 the volume on Missouri, which he was probably the person best fitted to write. For a quarter of a century or more he prepared for the New York *Nation* the notices or reviews of books on the Indians and allied topics. He was also a spirited contributor to the *Nation* of letters defending Southern customs and practices, from the Southern point of view, and criticising with penetrating satire the shortcomings, inconsistencies and vices of the Massachusetts communities, from which then issued general condemnation of the South. Mr. Carr always took satisfaction in being an "unreconstructed Rebel." By inheritance, by environment and by his own choice, during his formative years, he was a Southerner, and he never gave up his loyalty to the institutions and ideals of the South.

He was elected to this Society June 10, 1897, too late, unfortunately, for him to contribute much to our *Proceedings;* for physical infirmity soon prevented him from attending the meetings. We lost much thereby. During many years before his death I urged him to set down his recollections of life in Kentucky and Missouri and in other parts of the South before the war. No one else among us had had these experiences; no one else possessed such a store of anecdotes and reminiscences, which he told to his intimates with a vividness and a charm

and a literary distinction almost unrivalled. His family connections and his journalistic contacts opened for him access to many Southern leaders; and besides this personal acquaintance, as he grew up he imbibed traditions which too often vanish unrecorded.

As a boy he followed the story of Kit Carson's exploits. He was a youth when the Mormon settlement at Nauvoo was broken up and Joseph Smith was killed and he heard from eyewitnesses (as he has told me) reports of Smith's miracles, including the raising of a corpse to life. As correspondent in Washington of the *Missouri Republican* during President Taylor's administration, he saw the great leaders of the generation that was passing away — Webster, Clay, Calhoun — and those who were coming forward to shape the events which led to the Civil War. So long a span of historical interests was covered by his life.

He was a member of numerous societies besides our own: the Missouri Historical Society; American Antiquarian Society; American Academy of Arts and Sciences; the Anthropological Society of Washington; the Anthropological Society of Paris; the Anthropological Society of Moscow; the Anthropological Society of London.

DECEMBER MEETING, 1915.

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P. M.; the Vice-President, Mr. RHODES, in the absence of the President, in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library since the last meeting.

The Cabinet-Keeper reported the following gifts and deposits:

Photographs of four portraits by Copley, viz., of John Barrett, Mrs. Henry Hill, his daughter, Mrs. John Barrett, Benjamin Gerrish, and of John Gerrish, his father, by Smibert, from Mr. Wendell. Lithographic views of the "Bombardment of Forts Jackson and St. Philip" and of "The First Battle of Bull Run," published by the J. Howard Brown Company, 1884, from Mr. Lodge. The Panama-Pacific badge of the American Numismatic Association, from Fred Joy, of Boston; the Edgar Allan Poe Medallion, made by Edith Woodman Burroughs and issued by the Grolier Club of New York, from Edward Percival Merritt; a medal, in silver and white metal, of the Boston Workhorse Relief Association, from the Association; two medals struck in honor of John E. Gilman as Commander-in-Chief, Grand Army of the Republic, from John E. Gilman; a medal of the Harvard Musical Clubs, from R. T. Fry, of Cambridge; a bronze medal of Milton, Mass., 250th anniversary, 1912, deposited by Nathaniel Thayer Kidder, of Milton; three Chinese banknotes, of the Ming Dynasty, from Andrew McFarland Davis, and a bust, in plaster, of Thomas Jefferson, by Sidney H. Morse, deposited by the Bostonian Society.

The Editor reported the following gifts:

From Charles P. Bowditch, a broadside issued in Massachusetts before the spring of 1863, "To Arms! To Arms!"

From Dr. Frederick C. Shattuck, a transfer of stock in the Boott Cotton Mill, 1840, bearing signature of Henry Lee and a curious seal.

From Prof. Aaron Nichols Skinner and Miss Eliza Trumbull

Stickney, three letters of Simon Daby, of Shirley, to Ambrose Hale, and one from Ambrose and Mary Hale, 1790–1802.

Julius H. Tuttle, of Dedham, was elected a Resident Member of the Society.

Mr. WENDELL, for the committee to nominate a candidate for Vice-Presidency in place of the late Governor Long, reported the name of Winslow Warren, who was thereupon unanimously elected. Mr. Warren in brief remarks expressed his thanks to the members for the honor conferred upon him.

Colonel THOMAS L. LIVERMORE read a paper, giving "A Narrative of the Appomattox Campaign."

Mr. SPRING read a paper on

A CASE OF CHURCH DISCIPLINE IN THE BERKSHIRES.

The Congregational church of Stockbridge, at a meeting on the 20th of January, 1777, voted that the deacons "be a committee to admonish Lavina Deane to desist from prosecuting her proposed design of marrying one John Fisk until the church has such evidence respecting his moral character as shall satisfy them with regard to the propriety of a sister uniting with him in that relation." At the same meeting the church appointed another and larger committee — it was composed of five men — "to examine into the character of the said John Fisk." Mrs. Lavina Deane was a young, attractive and "affluent" Stockbridge widow and John Fisk a well-mannered, personable Stockbridge schoolmaster. It is not necessary to follow in detail the preliminary history of the affair, which may be summarized as follows: The committee of five on the schoolmaster reported adversely; the deacons failed to persuade Mrs. Deane to send him about his business, as she presently became Mrs. John Fisk, and the church promptly excluded her "from the communion . . . till she manifest a sense of her wickedness in marrying to Mr. Fisk and repentance of it."

What was the matter with this Stockbridge schoolmaster that he should be matrimonially blacklisted in this astonishing fashion? While enemies may have assumed that he was an immoral man, the only charge against him that had any foundation whatever concerned his vocabulary, which his

friends acknowledged did contain a few "airy words." He had been heard to say "I swear" and "damn it." And on some strenuous occasions, such, for example, as when the message of the church to his wife was received, he may have requested the Almighty to damn it.

The excommunication was followed by two years of village talk and unrest — the particulars have been mostly lost. We know that John Fisk was at one time in a desperate frame of mind and thought it might be necessary for him to shoot the pastor of the church and possibly one or two of the deacons; but fortunately this heroic treatment of the case was not actually attempted.

It is hardly surprising that the noise of the affair should have reached beyond Stockbridge into the neighboring towns, or that a prominent pastor in one of them — the Rev. Dr. Joseph Huntington of Coventry, Conn. — should have thought that Mrs. Fisk had been treated shamefully. In consequence of the agitation at home and abroad, and eighteen months after the vote of excommunication, it was agreed that the whole troublesome matter should be submitted for review to an ecclesiastical council, which met at Stockbridge, January 13, 1779, with four clergymen and four laymen in attendance. This first council, feeling that its membership was too small to settle the important question before it, adjourned to May 19, when it reconvened and eleven clergymen and nine laymen were found to be present. After a session of two days there was a second adjournment and another session of the same length, beginning October 6.

At these hearings the minister of the Stockbridge church — the Rev. Dr. Stephen West, ex-chaplain of Fort Massachusetts, subsequently vice-president of Williams College and author of *Sketches of the Life of the Late Reverend Samuel Hopkins* — aided by two assistants, appeared as its chief counsel. He insisted stoutly, and by no means briefly, that it was "a censurable crime in Mrs. Fisk to marry as she had done." For "the aggrieved party" the Rev. Dr. Huntington was spokesman, and he made an eloquent, impassioned plea. The whole controversy of course turned upon the character of the schoolmaster, and he did not neglect that point. "'We have made many enquiries this day in the face of this large assembly,' he declared in his

address before the council. 'Is he a lewd person? a drunkard? a cheat? a liar? an enemy to his country?' A profound silence. Not a word is heard." But there remained his vocabulary with the sprinkling of "I swears" and "damn its." What shall be said of that? It was brought out incidentally in the hearings that the schoolmaster had been a soldier in the colonial wars. Now the camp, as we know, promotes liberal habits of speech. "My uncle Toby" drew attention to this fact. "Our armies," he said, "our armies swore terribly in Flanders," and he might have included parts of North America in the sulphurous zone. If the Rev. Dr. Huntington had entered upon inquiries touching the influence of the camp upon the vocabulary he could have cited the recent case of that great and good man George Washington who, meeting Charles Lee rather unexpectedly at Monmouth Court House one Sunday of the preceding June, called him "a damned poltroon." What if some traces of the schoolmaster's camp dialect survived the signing of the articles of the treaty of peace? But nothing which the Rev. Dr. Huntington said or might have said moved the ecclesiastical council, which concluded that the Stockbridge church had "exhibited an amiable, christian spirit in their conduct toward Mrs. Deane."

This long-drawn-out case of parish discipline had a fierce little afterpiece. One of the two brethren who assisted Dr. West before the council was a newcomer in Stockbridge — the Rev. John Bacon, ex-pastor of the Old South Church, Boston. He was furious with the Rev. Dr. Huntington for meddling with Stockbridge parish affairs anyway and anxious to call him a fool in the most emphatic and telling manner possible. There was and still is a locution that would have served his purpose well, but neither the usage of his predecessors in the pastorate of the Old South Church nor present circumstances would warrant his calling the Connecticut brother "a damned fool," so he dug up a phrase from Ecclesiasticus: "Yea also, when he that is a fool walketh by the way, his wisdom faileth, and he saith to every one that he is a fool."

The Connecticut brother did not relish being called a fool of the Ecclesiasticus or any other brand and replied in a pamphlet with the title: *A Droll, a Deist, and a John Bacon, Master of Arts, Gently Reprimanded.* That word "gently" is very

much out of place in the title. The Reverend Doctor did not spare the ex-pastor. On the contrary, he declared him to be an impossible sort of man who set the Old South Church by the ears and every other church with which he had anything to do. The ex-pastor replied with an energy that would have done no discredit to Timon of Athens. The Rev. Dr. Huntington's conduct, he said, was "such as none but a little, vain, malignant mind could ever descend to," and until he retracts his calumnies "I . . . publish him to the world as neither a man of truth nor a gentleman." Now all this pother, these numerous church meetings, this ecclesiastical council with its three sessions, months apart, and this no-quarter fight between the two divines, came about because a Stockbridge widow would marry a Stockbridge schoolmaster whose vocabulary needed a little pruning.

Mr. WINSHIP exhibited the manuscript records of the Company for the Propagation of the Gospel in New England, from 1655 to 1685.

Mr. WENDELL called attention to a small globe made in London in 1732, which he had placed on the table, and remarked upon the deficient geographical knowledge of the coast of America at that time — New York not being noted upon it.

Mr. C. P. GREENOUGH communicated original papers on

THE EXPERIENCES OF AN IRISH IMMIGRANT, 1681.

When we consider that the governor of this state is an Irishman, that the mayor, the city solicitor, the auditor, the collector, the treasurer and the minor officials of Boston are Irishmen, it seems incredible that there should ever have been a time when an Irishman was treated with a marked lack of hospitality in Boston. That such was the fact, however, is shown by the contents of three original documents which I acquired some years ago. From them can be reconstructed the tragedy in all its details. The would-be immigrant was one Henry Sharlot, claiming to be a citizen of Dublin, Ireland, and the incident happened in August and September in the year 1681. Whether Sharlot was the first voluntary Irish immigrant to this state, I am not certain. He is the first of whom I find any record; but our late associate, William H.

Whitmore, informed me that he had seen on a list of taxpayers prior to this date the words "the Irishman," but what Irishman he was unable to discover.

It appears from these documents that Henry Sharlot arrived in Boston some time early in August, 1681. It does not appear where he stayed in Boston, or how he came to Massachusetts. Apparently he did not come by sea, for there is no allusion to any report of his arrival by a sea captain to the governor, or to his presentation for examination under the governor's direction, required by the Act of October, 1675.

To explain Mr. Sharlot's experiences you will remember that various laws were passed regulating the admission of strangers to this community.

By the General Acts of 1637, amended at various times and reënacted in the General Laws of 1660, it was provided that

> No Town or person shall receive any stranger resorting hither with intent to reside in this jurisdiction, nor shall allow any lot or habitation to any, or entertain any such above three weeks, except such person shall have allowance under the hand of some one Magistrate . . . and of every person receiving any such, for longer time than is hereby allowed, except in case of entertainment of friends, resorting from other parts of this Country in amity with us, to forfeit as aforesaid not exceeding twenty pounds, nor less than four pounds, etc.

By the Act of 1675 it was also provided

> That account be taken of all straingers who are not his majestjes subjects, and that they remajne not in toune vnless security be given for their fidelity; and that none be admitted but vpon the like security, and that no master of any vessell bring in any without acquainting the Gouernor therewith, and presenting their persons in order to their examination; who if vpon their examination can give no good account of their business, and security for their good behaviour shall be sent to prison, vnless they doe forth with depart.[1]

What happened in detail to Mr. Sharlot we learn from one of the above-mentioned documents — his appeal to the Court of Assistants. It seems that he had been in Boston only a few days when he was summoned to appear before the selectmen who examined him and apparently declined to consent

[1] *Mass. Col. Records*, v. 46.

to his settlement in Boston. There were several other hearings before the selectmen in August, but as a result they positively refused to allow him to stay in Boston. He then prevailed, he says, upon some friend, whose name however he does not give, to apply in his behalf to the governor to obtain a permit from him to be allowed to inhabit the colony, but before he was able to procure this permit he was summoned by the Constable, Homes, in a "very unhandsome manner," as he called it, to appear before the commissioners of Boston, and he did so appear on the 1st day of September, and his case was heard by that body. This court was a somewhat unusual court, created by the Act of 1654, reënacted by the General Laws of 1658.

It is ordered by the court and the authority thereof, that there be seven Freemen resident in Boston annually chosen by the Freeman of the said town and presented to the Court of Assistants, who hereby have power to authorize the said seven Freemen to be Commissioners of the said town, to act in things committed to their trust, as is hereinafter expressed with power — or any five of them, or any three of them, with one Magistrate, to hear and determine all Civil Actions which shall be brought before them, not exceeding the sum of ten pounds, etc.

It was further provided by the Act of 1675 that "The Commissioners and the Selectmen and Captains of Boston are ordered and required respectively to have a special care that this order in the several parts thereof be duly observed and attended."

This order refers to the Act of 1675, relating to the treatment of strangers.

On the 30th of August, 1680, the town elected the following seven commissioners who, with the seven selectmen, constituted the court, viz.: Anthony Stoddard, Captain Thomas Brattle, John Joyliffe, Elisha Hutchinson, John Saffin, Captain John Walley and John Fairweather. Brattle and Joyliffe were also elected selectmen in March, 1681, together with Lieutenant Daniel Turell, Deacon Henry Allen, Lieutenant Theophilus Frary, Nathaniel Greenwood and John Marion, Sr.[1]

As there are several questions of fact in dispute between Mr. Sharlot and this court, as will hereafter appear, it might

[1] *Boston Record Commissioners*, VII. 141, 143.

be well to give a short account of the lives and character of the various members of the court as a test, so to speak, of the credibility of the witnesses.

Anthony Stoddard, the senior member, was probably as much respected as any man in Boston. Judge Sewall calls him "the Antientist Shop Keeper in Boston." He was a linen draper, was made a Freeman in 1640 and was elected to almost every office in the gift of the inhabitants — a Constable (1641), Selectman many years from 1649, Deputy to the General Court in 1650, 1659–60, 1665–84, Recorder of Boston, Commissioner, Magistrate — a Puritan ingrained.

Thomas Brattle, the Treasurer of Boston, Moderator at Town Meetings, Commissioner, Deputy to General Court (1671–72), (1678–9), one of the founders of Old South Church.

John Joyliffe, Selectman for many years, Commissioner (1674–91), Recorder of Boston (1656), Councillor, and took an active part in the Revolution of 1689.

Elisha Hutchinson, Chief Justice of Court of Common Pleas, member of Artillery Company (1660), Captain (1676), Representative (1680–83), and Councillor (1684–1717).

John Saffin, Selectman (1653), Representative (1684–86), Speaker of House (1686), Councillor (1693), and judge of the Massachusetts Supreme Court (1701).

John Walley, judge of Supreme Court (1700–1711), one of the so called "Witch Judges," a general in the Massachusetts Army, commanding the expedition against the French and Indians in 1689, and second in command under Phips in 1690, Member of the Council (1689), Captain of Ancient and Honorable Artillery (1671), and Colonel of Suffolk Regiment.

Henry Alline or Allen, a joiner, a Freeman in 1648, Selectman, Deacon, and Representative (1674).

Theophilus Frary, a cordwainer, Representative (1689–95 and 1699), Selectman, Moderator, Captain of Ancient and Honorable Artillery, Deacon and a founder of Old South Church.

John Fayerweather, Freeman (1673), Captain of Militia, Constable and Commissioner, Representative (1684), and in command of the Castle in the Revolution of 1689.

Daniel Turell, a blacksmith, Selectman, Member of Artillery Company, and Freeman (1669).

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A more [illegible] [illegible] [illegible]

To the Right Hon^ble Simond Bradstreett Govn^r: & The Hon^ld Magistrates Now Assembled In the Hon^ld Court of Assistance in Boston the 6^th of Sep^r. 1681 @ The Humble Petition of Henry Sherlott a poore distressed stranger & prisnor.

Humbly Sheweth

Whereas yo^r: petitioner being Lately arrived from the Kingdome of Ireland, to this yo^r Towne of Boston, and some small time after yo^r. pet^u. abode here, he was sent for to appeare before seuerall Gent^n. Which at yo^r. pet^r. is since Informed was the Townsmen of Boston; Vpon whome he did Waite seuerall times, and they signifyed vnto him, they would not suffer him to abide as an Inhabitant in yo^r. towne; Although should procure Bond according to Law to secure the Towne from any charge. And yo^r. pet^r. finding himselfe thus agreiv'd by the Gen^l. Townsmen afores^d. did apply himselfe vnto some friends in Boston, to make there application with yo^r. pet^r. vnto the Hon^ld Gov^r & for his permitt to Inhabitt in the Collony. Which vpon there application was obtayned, and before yo^r. pet^r. had opperturnity to produce the same permitt vnto the Townsmen yo^r. pet^r. was Commanded in a very vnhandsome manner By the Const^s Homes to appeare before the Commiss^rs of Boston: Where he met with very vnkinde Language & threatnings vnless that yo^r. pet^r. did the

Nathaniel Greenwood and John Marion, Selectmen and Freemen, and business men of Boston.

It would have been impossible to constitute a more representative and substantial court than this.

It appears that they heard Mr. Sharlot's case on September 1, and according to his version they used "very unkinde language and threatenings" toward him. If such language was used by anyone, it must have been by the selectmen, as the law of 1658, creating the court, expressly provides that "there shall be none admitted to be a Commissioner for any town in this jurisdiction, but such whose conversation is inoffensive," etc.

On the 2d of September he was again summoned before the commissioners, and having refused to give a bond to depart from Boston in three weeks, was arrested under the order of Anthony Stoddard and committed to prison.

The original order of imprisonment reads as follows:

To the Keeper of the Prison in Boston.

You are in his Majtes name Requiered heerwith to Recev the body of Mr. Henry Sherlett and him to keep in safe Custody being a Strainger and none of his Majtes Subjects, having [the] liberty granted him by Authority, vpon Security to abide heer [three] weeks and then to depart hence which he Refuseth and appeals from said Sentance, for which [this] shal be your suffitiant warrant, dated Boston Septr. 2: 1681.

Anthony Stoddard, *Commissioner.*

He remained in jail several days and on the 6th of September, 1681, appealed, as he had the right to do under the statutes of 1658, from the decision of the Commissioners Court to the Court of Assistants, which was then in session; on the same day he filed his reasons of appeal, which appear in the following document:

To the Right Honourable Simond Bradstreet Governour and The Honoured Magistrates Now Assembled In the Honoured Court of Assistance in Boston the 6th of Sept. 1681 The Humble Petition of Henry Sherlott a poore disstresed strainger and prisnor.

Humbly Sheweth

Whereas your petitioner being lately arrived from the Kingdome of Ireland, to this your Towne of Boston, and some small time after

your petitioner abode here, he was sent for to appeare before seuerall Gentl. which as your petitioner is since Informed was the Townsmen of Boston; Vpon whome he did waite seuerall times, and they signifyed vnto him, they would not suffer him to abide as an Inhabitant in your towne; Although should procure Bond according to law to secure the Towne from any charge. And your petitioner findeing himselfe thus agreiv'd by the Gentl. Townsmen aforesaid did apply himselfe vnto some freinds in Boston, to make there application with your petitioner vnto the Honoured Governor for his permitt to Inhabitt in the Collony. Which vpon there application was obtayned, and before your petitioner had oppertunity to produce the same permitt unto the Townsmen your petitioner was Commanded in a verry vnhandsome manner by the Consta. Homes to appeare before the Commissioners of Boston: where he mett with verry vnkinde language and threatnings vnless that your petitioner did the next morning which was the 2d Inst: procure security to depart the towne within 3 Weeks they would Committ your pet'r to Prison. Which carriage of theirs as also the Townsmens who had commanded that no persons should Entertaine him vpon penalty of Twenty shillings per Night did greatly distress your petitioner and occationed him to lye 2 Nights in your Townehouse. And vpon Fryday last the 2d. Inst. The Comissioners afforesaid sent for your petitioner in like manner by a Constable and did in language greatly provoke and urge your petitioner to give Bond to depart the Towne within 3 Weekes as afforesaid and did then notwithstanding the offer of good Security for your petitioners fidellity or what else the law requir'd Comitt your petitioner unto close prison Refuseing to grant any appeale though Bond tendred for that also. Therfore your poore petitioner Humbly craves your Honours serious Consideration of his misserable condition, Being a stranger and expecting to meett with Civill Entertainment, a Subject of his Majesties Kingdome haueing taken the oath of Allegiance and liv'd in it many years in the Kingdome of Ireland a protestant and can produce good Testimony of his Creditt and Civill deporttment in the Citty of Dublin, And there Bore armes for his Majesty of England which he hopes will prevaile with your Honours to Grant his Release and free admission into your Towne of Boston. Oblidgeing himselfe to be of good behaviour and giveing security for the same according to law, Which your Honours granting shall oblidge your petitioner for ever to pray for your Honours prosperity.

Hen: Sharlot.

In Ans'r to this peticon the Court Appoints the morrow after dinner to heare the peticoner and also to vnderstand from the Comissioners the true Ground of the Complaint.

To the Hon: Court of Assistants now assembled
in Boston this 10 Day of Sept: 1681 &c

We the Commission: & Select men of the Town of Boston
having in our Respective places Endeavoured to discharge
our Duty according to the Lawes for the Suppressing of vice
and keeping out of the Town any person or persons as
may be Noxious or prejudicial to the same, & therein
particular that Franchonzay Named Henry Shorlott who
Goes under the title of a Dancing Master, whom
upon Examination & Enquiry, finde to be very
Insolent, a person of ill fame (having been accused
and prosecuted for committing a Rape in Ireland)
one that Raves & Scoffs at Religion, here of a turbulent
Spirit, & is allready a great Incendiary in this place,
who by his many falsehoods & misrepresentations
of matters hath Endeavored to make a party, thereby
to obtrude himself upon the Town contrary to y^e Order
both of Town and Country, these things being of such
Dangerous Consequence doth Incite us in the discharge
of our Duty to God & the trust Comitted to us, to inform
this Hon^d Court here of, Humbly praying y^e Hon^rs
Assistance herein, that according to y^e Wisdome you
will be pleased to take such Order that the said Shorlott
may be forthwith sent out not onely of this Town but
Colony as a person not with safety to be Admitted amongst
us, which in all Humility is offered By

Hon^rs most humble Servants

Anthony Stoddard
Tho: Brattle
Joseph Gyles
Elisha Hutchinson
John Saffin
John Eliot
John Wallcot
Henry Allin
Daniel Turell
Nathaniell Greenwood
John Morgon

If your sympathies are at all likely to be aroused by this piteous tale, I would suggest that you wait until you hear the commissioners' answer to his appeal. Referring, however, to his comments upon the "unkinde and threatening language" of the court and the "unhandsome manners" of the constable, are we not sufficiently familiar with the national characteristics of the prisoner to know that some provocation at least must have been given by him to cause unkindness on the part of the court? The commissioners' answer would seem to establish this fact. The commissioners filed this answer to the prisoner's appeal on Sept. 10, 1681:

To the Honoured Court of Assistants now Assembled in Boston this 10th Day of Sept: 1681.

Wee the Commissioners and Select men of the Town of Boston haveing in our Respective places Endeavoured to discharge our Duty according to the lawes for the Suppressing of vice And keeping out of the Town any person or persons as may be Noxious or prejuditiall to the same; And in particuler that Frenchman Named Henry Sherlott who goes under the title of A Danceing Master whom we (upon Examination and Enquiry) finde to be very Insolent, a person of ill fame (haueing been accused and prosecuted for committing a Rape in Ireland,) one that Raves and scoffs at Religion here of a turbulent Spirit, and is allready a meer Incendiary in this place, who by his many falsehoods and misrepresentations of matters, hath Endeauored to make a party, there by to obtrude himself upon the Town Contrary to the Orders both of Town and Country; These things being of such Dangerous Consequence doth Incite us in the Discharge of our Duty to God, and the trust Committed to us, to informe this Honoured Court here of; Humbly praying your Honours Assistance herein, that according to your Wisdomes you will be pleased to take such Order that the said Sherlott may be Forthwith sent out not onely of the Town but Colony as a person not with safty to be Admitted amongst us; which in all Humellity is Offered By Your Honours most humble Servants

Anthony Stoddard	John Walley
Tho: Brattle	Henry Alline
John Joyliffe	Theophilus Frary
Elisha Hutchinson	Daniel Turrell
John Saffin	Nathaniell Greenwood
John Fayerweather	John Maryon

Mr. Sharlot's description of his own actions and character seems to differ essentially from that entertained by the members of the court. If their information about him was correct he would seem to be a most undesirable citizen.

The Court of Assistants, which was sitting at the time, heard the prisoner and evidently read the report of the commissioners, and then at once disposed of the matter.

At a Court of Assistants at Boston, 6th September, 1681.[1]

The Commissioners and Selectmen for the Towne of Boston presenting to this Court mr. Henry Sherlot a frenchman, that is newly come into this Towne as he sajth, a Dancing master and a person very Insolent and of ill fame, that Raves and scoffes at Religion, of a Turbulent spirit no way fitt to be tollerated to live in this place and therefor humbly desiring this Court according to their wisdomes to take such order that the sajd sherlott maybe remooved and sent away not only out of this Towne but Colony as a person not with safety to be Admitted to live amonst vs: The Court on pervsale of what was presented voted that mr. sherlot the frenchman dancer and fencer be remooved out of the Country and that he depart accordingly [at] once within two months on penalty of Contempt of Authority.

Present: Simon Bradstreet, Esq. *Gov.*
Richard Saltonstall
Daniel Gookin,
Daniel Denison
Wm. Stoughton
Joseph Dudley,
Peter Bulkley,
Nath. Saltonstall
Humphrey Davy
Thomas Savage
John Richards
John Hull
James Russell
Samuel Nowell
Peter Tilton
Barthol. Gedney,
Samuel Appleton

And so vanished Mr. Henry Sharlot from history and presumably from the colony.

By the courtesy of Miss Sara Norton the Editor is able to print the following

Letters of Goldwin Smith to Charles Eliot Norton.

Oxford, [England,] Nov. 7, 1863.

My dear Sir, — Mr. Leslie Stephen has kindly delivered your parcel. Accept my best thanks for your courtesy in sending me the

[1] Noble, *Records of the Court of Assistants*, I. 197.

copies of the reprint of my lecture[1] (which does your press great credit) and for the letter which accompanied them.

It is a pleasure much greater than any literary success could give to feel that my pen has rendered any assistance, however slight, to the good cause.

A good cause it is: and the most momentous perhaps, in the issues it involves, for which the blood of man was ever shed. I trust the result will be, not only to expel from American society the poison of Slavery and of that worst of all aristocracies which Slavery brings in its train, but to bar forever the reactionary influence of the European governments on your Continent; and thus to make, in deed and truth, a new world, the scene of new hopes for man.

I have as deep a horror of war as anyone: and was as much opposed to this war at the outset as anyone could be. But now I see that, if it ends, as, if the North persevere, there can I trust be no doubt that it will end, all will have been for the best.

I wish your statesmen and orators would speak with a little more discrimination of England. You have a strong party of friends here, and they have done you some service. Of course the aristocracy are against you almost to a man. The great capitalists are against you, and they have done a good deal to give a wrong tone to the city and to the London press. The clergy of the Establishment are against you, as a Commonwealth founded on liberty of conscience. The rich are mostly against you, though some of our rich men, such as Mr. Bayley Potter[2] of Manchester, have gallantly disregarded class feeling and cast in their lot with the right. A good many of the middle classes are against you, because they ape the aristocracy, and the wealthier of them are themselves a sort of aristocracy in their way. But a good deal of the intellect, the more religious part of the middle classes, the ministers of most of the Free Churches, and the great mass of the intelligent lower classes are on your side. This has been the case at least since the great issue between Free Labor and Slavery was fairly tendered: you could hardly expect that it should be so before.

I say the *intelligent* lower classes are on your side. Our agricultural laborers are unhappily for the most part in too wretched and degraded a state to comprehend any political question whatever.

People here are in some degree actuated by the memory of the old quarrel, which your writers have not allowed to die. They have also been embittered by insults received from a Government that had its seat at Washington, and which they not unpardonably, though falsely, identify with that which sits there now.

[1] *Does the Bible sanction American Slavery?*

[2] Thomas Bayley Potter (1817–1898).

The French Government has been perpetually soliciting ours to recognize (and of course support) the South. If France and England were united in this course all the other Governments would follow except Russia. And Russia, though you coquet with her (much to our scandal) is too alien to you in character to be your firm ally; besides which she has this Polish war raging in her vitals. You can therefore scarcely afford to discredit and weaken the party which is opposed to Recognition in this country. But this is what Messrs. Sumner [1] and Chase [2] are doing to the utmost of their power. The publication of Cassius Clay's despatches also covered us with shame, and your government with dishonour.[3] But your statesmen are small men at the head of a great nation.

Of course the *Times* has been most insulting. But the gang of scoundrels who carry it on, and who pander in it to the vilest passions of the class which patronizes and feeds them, exult in every foul word uttered against England on your side, especially by your public men.

I must own, however, that England is not quite herself at present. She is suffering from reaction after political effort in the same way, though not in the same degree, as France: and Lord Palmerston embodies the temporary victory of scepticism and sensualism in one country as Louis Napoleon does in the other. When our nobler mood returns, we shall judge more worthily of these things.

I shall be always grateful for a letter from you, and for anything you may be so kind as to send for my instruction. Believe me, dear sir, Yours faithfully,

GOLDWIN SMITH.

OXFORD, July 22, 1864.

MY DEAR SIR, — The Cunard which leaves Liverpool on the 20th August will, I hope, bring me to Boston. As I learn through our common friend Mrs. Gaskell [4] that you will be there again about the beginning of September, I shall look forward to the pleas-

[1] This may refer to Sumner's speech at New York, September 10, on "Our Foreign Relations." Of it Sumner wrote to Norton, September 16: "I wish I could have the advantage of your friendly criticism on the 'one or two points' of my speech. The stake is too great for me to have any other desire than the Truth. My hope was to state our case with perfect frankness, and then to exhibit the moral absurdity of an affected 'neutrality' — much more of alliance against us." MS.

[2] On September 6 Smith went to the centenary of Brown University and heard Chase make a speech "qualifying what he had before said against England."

[3] Probably a reference to Clay's despatches printed in the *Diplomatic Correspondence*, 1862, giving suggestions for the conduct of the war and expressing distrust of England.

[4] Elizabeth Cleghorn (Stevenson) Gaskell (1810–1865).

ure of seeing you (and I assure you it will be to me a very great pleasure) soon after my arrival.

I shall come with feelings very different from those of a mere tourist to a land which, since you have irrevocably broken your connexion with Slavery, I have learnt to regard almost as my own. For, with all loyalty to the land of my birth, the heart of a political student cannot fail to be, in some measure, with the nation which in spite of all the calamities which beset and all which (it is to be feared) still await it, bears, more than any other, in the bark of its fortunes, the political (and, as I believe, the religious) hopes of man.

I am sure no American can have watched with more intense interest or deeper anxiety than I have the terrible crisis through which all that you and I most value is now passing. I have the greatest personal confidence in Grant, who seems so far to have shown no sign of despondency or weakness. But otherwise I confess my hopes would fail. The best and most candid judges here take the most gloomy views of the military situation. The financial situation seems not less serious: and there are certain rules of wisdom in finance which have been impressed on us by dire experience here, but which, from the want of such experience, your statesmen do not appear thoroughly to have imbibed. And now, at the most critical moment, when all the force of the nation ought to be put forth for victory, comes this distracting contest for the Presidency to divide and paralyze the State. However neither the Slave Power, nor any other power of Evil, will in the end be master of the World. Believe me, my dear sir, Yours very truly,

GOLDWIN SMITH.

P.S. The victory of our Government over the Tory opposition, which for the present is complete, is rather in favour of our cause. Palmerston does us the honour (it is a real honour) to be our enemy, but the majority of the Government are either favourable to the North, or at least inclined to neutrality. The obstinate resistance of the Maoris in New Zealand, and the wars or rumours of wars in other dependencies are also against intervention in American affairs. Some of our operatives are, I fear, a little shaken by the Cotton famine and the Southern Club. But on the whole, in spite of the solicitations of the French Emperor (who also has a revolt in Algeria on his hands), I don't think European intervention is much to be feared.

OXFORD August 5th, 1864.

MY DEAR SIR, — Since I last wrote to you I have received your kind present of books, for which accept my best thanks. The Life

of Grant [1] is most interesting. Few men have been called upon to play a more important part in history than the great General of the North in this struggle. And so far he seems to have played it well in every respect. But we are reading every telegram with the keenest anxiety; and the hopes of the Southern party, that is of all the reactionary classes, among us are still high. It is true these people read scarcely anything but the *Times* and the *Telegraph* (a middle class *Times*) which feed them with falsehoods. The *Times* is far worse than the *Telegraph*, and it is curious that the highest class here, which flatters itself that it is most exempt from vulgar passions, has exceeded all the rest throughout these events in its love of violence and slander.

I took a great liberty with your last letter. Two or three paragraphs struck those to whom I read them so much, and seemed to me likely to do so much good in certain quarters, that I ventured to send them (of course without your name and omitting the names of two or three persons whom you mentioned) subjoined to a letter of my own, to the Manchester *Examiner and Times*, which is the most influential paper in the manufacturing North of England. I enclose the slip, which my servant has unluckily torn. A great effort is being made at this moment by your enemies to prevent our people from emigrating to your country, and thus to increase your difficulties by cutting off the supply from your labor market. It seemed to me that the paragraphs of your letter circulated in a Manchester paper were likely to be of use in counteracting this attempt.

I have taken my passage for the 20th. My ship is the *Europa*. I am afraid she is rather slow.[2] Yours most truly,

GOLDWIN SMITH.

Hon. Geo. Bancroft's, NEW YORK,
17 W. 21st St., Dec. 4, 1864.

MY DEAR NORTON, — My movements have been so uncertain that your letter of Nov. 14 only came into my hands on my return to New York last night.

The breakfast went off very well.[3] The speeches of your countrymen were very — I thought wonderfully — good. Curtis above all. The 'Beast' [4] by no means bad.

The Beast took me from New York to the Army: and I had

[1] Probably Larke, *General Grant and his Campaigns*, 1864.

[2] He landed at Boston, September 2. His travels and impressions in the time which elapsed before the next letter are given in his "United States Notes."

[3] At the Union League Club, November 10.

[4] General Butler. See *Proceedings*, XLIV. 10.

'a good time' for two days at his head quarters. I rode about his lines, and to my unmilitary eye all seemed well.

From the Army to Washington, where I had some pleasant and instructive days with Seward. Then to Mr. Kennedy's [1] at Baltimore. Then to the Fields [2] at Philadelphia — an introduction for which I thank you a thousand times.

I was with the President about twenty minutes.[3] He talked all the time to Senator Wilson, who introduced me, about the election; and probably showed me more of himself than if he had been talking to a stranger. My favorable impression of him was decidedly confirmed. He is not in any point of view a subject for Phidias; but he is better looking than his photographs, and his conversation showed, as I thought, geniality and good sense. He told several stories, all of them apposite and none of them obscene. On the whole I think I could feel as much loyalty towards this somewhat grotesque incarnation of Yankeedom, as I could have felt towards the Bourbon King of Naples who was always trying to put his leg over the horse in the tapestry on the wall.

The eye of Sumner's mind, if I mistake not, is too much turned inwards to see very clearly the characters of People outside.[4]

I was rather taken with the Beast. He has both the good and the evil points of a revolutionary chief.

Seward was very agreeable and very communicative. I wish he had it in him to place you in a better position before the Court of Nations about this matter of the *Florida*. It is a sad affair and I fear will lead to serious complications. I suspend my judgment about the sinking, especially as I saw her at Fort Monroe in a position where an accidental collision might easily have occurred, and heard at the same time that she was not seaworthy. But the opportuneness of the accident staggers charity itself: and Porter, in whose hands she was, is a hotheaded fool, full of his father and the *Essex*.

[1] John Pendleton Kennedy. [2] John W. Field.

[3] In his "Notes" he mentions but one interview with the President, November 16: "Saw the President. His stories — the three pigeons. The manufacturing population. They would annex Hell as a market for their cottons."

[4] He had met Sumner at Boston on October 5, and thus recorded his conversation: "He thought England ought not to have recognized the South as belligerents. This was done by Lord Russell without consulting the American Ambassador. Weakness of Mr. Seward. He had been inclined to a violent foreign policy up to the time of the *Trent* affair; after that he became pacific. His indiscreet dispatches on the subject of Slavery. His declarations that Slavery had nothing to do with the war. His violent language (amounting to a declaration of war so far as a mere diplomatic act could) cut down by Mr. Lincoln." "United States Notes," 285.

Society at Baltimore is almost in a state of civil war. A lady, Mrs. Hutchins, was sentenced while I was there to five years in the Penitentiary. She had certainly been guilty of a treasonable act: but she is a great fool and had better have been sentenced to simple detention as a political lunatic.

My name is erroneously printed in the prospectus of the *Atlantic Monthly* as one of the regular contributors for next year. I had talked to Fields confidentially about some papers to begin (possibly) next summer: but I desired him not to announce them. He says his clerk sent me the prospectus; but either it never reached me or I, not expecting anything of the kind, paid it no attention. It is not very pleasant to be coupled with Mr. Augustus Sala,[1] who besides being the lowest of the Bohemians, is now engaged in the slandering for hire all the loyalists of this country.

I am now in a most hospitable house, but rather among the fashionable world, from which perhaps I shall part on the 14th with less of a pang than I should from the society of Boston. Next year, Ashfield and Illinois!

There is no home on earth, except my father's, where I more desire to be missed in my absence (as you kindly say I am) than yours. My best love to all its inmates. Ever sincerely yours,

GOLDWIN SMITH.

17 W. 21st St., N. YORK,
Dec. 9, 1864.

MY DEAR NORTON, — No doubt your criticism on the Letter is just, for I wrote in haste and in indignation.[2] If it is being republished, could not the offending sentences be struck out or altered in form? Otherwise it may do more harm than good. I need not say I should have entire confidence in your pen.

I ought to have said that at the very time of Sumner's worse precedents we were laying down by the mouth of Lord Stowell a maritime law for all nations.

Surely the suggestion on p. 18 of Sumner is detestable.[3]

[1] George Augustus Henry Sala (1828–1896), who was in the United States from November, 1863, to December, 1864, writing for the London *Daily Telegraph*. He printed *My Diary in the Midst of the War*, still of interest.

[2] On the case of the *Florida*. Sumner had written an article on it for the Boston *Daily Advertiser*, November 29, 1864 (*Works*, IX. 141). Smith replied somewhat tartly. See *Proceedings*, XLIV. 10 *n*.

[3] "If the American commander who undertook this business at Bahria, had done it completely, there would be little difficulty now. There were fire and water both at his service. He might have burnt the *Florida* or scuttled her at once, and his offence would have been no greater than now, while his Government would have been relieved from embarrassment. It is hardly cynical to say

As to Seward, I do not mean that he will go far wrong in point of substance. But his want of promptness and loftiness of manner is lamentable.

I got the English letter, many thanks. It was stupid of me to forget that there was a note of yours with it. Seward, if I recollect right, put it into my hand at Washington. I do not think I was told that it came through Lord Lyons. Lord L[yons] is here on his way to England. I am sorry he is taken away, for I believe he is well disposed to America; and there is no knowing whom Palmerston may put in his place.[1]

I am very sorry to hear what you say about Lowell. Pray give him my kind regards and best wishes for his recovery. In haste, yours sincerely,

GOLDWIN SMITH.

PARK'S END, OXFORD, Dec. 29, 1864.

MY DEAR NORTON, — This must be a circular letter to you and yours, Jamaica Plain, and Mr. and Mrs. Loring.

First of all, let me wish you all joy, a thousand times joy, on the success of Sherman[2] — all the more welcome because it is gained by a man who, like Grant, I think may be called a real hero.

I landed at Liverpool on Christmas Day,[3] as well as one could be after ten days of almost continual sea-sickness. We were scarcely past Sandy Hook, when the *China*, which like screws in general, rolls very much, laid me on my back. I was beginning to revive a little when we got into one of the great circular storms which, it seems, move in a regular path from the tropics to the pole. In this we were tossed about for thirty-six hours. The worst part of it perhaps was the centre of the storm, which is windless, but where the sea boils like a cauldron from the meeting of the waves driven together from all quarters by the ring of storm. The *China* did her duty well, though she could make but two knots an hour: but the sea broke over us, pouring down into the berths; and from that time (the fourth day) till the last day of the voyage my cabin was a chamber of horrors — the suffocating air, and the smells being quite as bad as the seasickness. I scarcely had any use for Mr. Cleveland's sea-chair on *deck:* but it was of great use to me in the cabin, as my couch, being constructed not by inventive Yankees, but by old-

of such an omission, in the words of Talleyrand, that 'it was worse than a crime — it was a blunder.'"

[1] On March 1, 1865, Sir Frederick William Adolphus Bruce was commissioned. He died at Boston, in September, 1867.

[2] The Chattanooga-Atlanta campaign.

[3] He had sailed from New York, December 14.

world Britishers, was as untenable as Hood's or Manuel's position, during the storm.

Shall I ever muster courage to cross the Atlantic again? To say that I shall not, would be pronouncing on myself a sentence of banishment. Perhaps in six months of rest and home exercise my valour may accumulate once more.

Though I longed on landing to get to my own fire-side I could not resist the call which I received at Queenstown from our friends at Manchester to go and tell them what I could about you. Among others, I saw Bright, who was very much depressed by the recent death of his child,[1] but was cheered by talking with a friend fresh from America. I am afraid, however, that he will never make up his mind to cross the Atlantic. You will be sorry to hear that Cobden, having overexerted himself in his speech at Rochdale on your Presidential election, was taken alarmingly ill. He is now better, and the mischief in his lungs which was the threatening part of the malady, has yielded to treatment; but I fear his public life is nearly at an end.[2] A fearful loss to us English Liberals, who depend on our leaders to a degree which you, having an enfranchised and educated people, can scarcely understand, and who have now nobody left us but Bright. For Forster, though in some respects a strong as well as a good and right-thinking man, is totally destitute of the *magnetism*, as you Yankees call it, essential in a political chief. Our old Whig leaders are now declared renegades, and Gladstone, though a liberal economist and a semi-liberal politician, is bound hand and foot to the ecclesiastical reaction. Bright's tone about English politics is mournful, and not without cause. If you miscarry, the political and ecclesiastical reaction will become so powerful here, that you may have to give some of us a home. But I have some faith in you and in your prospects, though you do call rolls biscuits and biscuits crackers.

The 'Court Journal' and other aristocratic organs here are abusing me pretty handsomely. I look to General Sherman to write me a telling reply.

What a wretched letter Seward has written to Lord Wharncliffe![3] And what a chance of writing a good one he has thrown away! I am not in charity with him on public grounds though privately

[1] Leonard Bright, aged five years.

[2] Cobden died April 2, 1865, of acute bronchitis.

[3] Edward Montague Stuart Granville Montague-Stuart-Wortley Mackenzie, first Earl of Wharncliffe (1827–1899). As chairman of an association for providing relief to southern prisoners of war, he applied for permission to send an agent to distribute the proceeds of a bazaar, some £17,000, among the military prisons in the northern states. His application is in *Diplomatic Correspondence*, 1864, II. 354, and Seward's reply, sent through Adams, 367.

I was his guest and found him a most pleasant companion. In everything he does he shows want of dignity and something more — too much cleverness (am never sure that I know the Yankee meaning of that word) and too little instinct by a great deal. The case of the *Florida* will bring shame on us here when we speak with our enemies in the gate. And the people, I am convinced, were quite prepared for the nobler course. Your people are a long way ahead of your so-called statesmen.

Lord Lyons came over with me. We are old friends, and he talked very freely about America. After we had pulled Seward to pieces a little he said, "But, after all, you might go further and fare worse." "Yes," I said, "you might have Sumner." He emphatically concurred. If that man ever gets into power he will, under some highly moral pretence, sacrifice the highest public interests to his personal position. Of all your public men, he is the one for whom I have brought away the least respect.

Lyons was reading Lady Georgiana Fullerton's last novel.[1] The scene is Illinois, where she introduces wild monkeys and other tropical productions. The ignorance of the Britisher is truly sublime.

New York was beyond measure kind to me; but I cannot say that it was so congenial as Boston. A bookworm is out of his element in a round of dinners and receptions. If I get over next summer, I shall make the country my point, and hardly go into the great cities again.

My little house and library received me with a very cheerful face after the wintry Atlantic. You will be often thought of, all of you, in this quiet room.

I must write other letters for the mail. Ever yours sincerely,

GOLDWIN SMITH.

OXFORD, Feb. 10, 1865.

MY DEAR NORTON, — You have probably seen Lord Russell's words at the opening of Parliament. I suspect they may be partly attributed to a passage in your letter to me, which I brought under the notice of a member of the Government who I am sure laid it to heart.

Lord Russell did not do it very well. He does nothing very well, because he is always thinking less of the thing to be done than of Lord Russell. Besides the old man's intellect has seen its best days and even they were not golden.

[1] Lady Georgiana Charlotte Fullerton (1812–1885), daughter of the first Earl Granville. She published a novel, *Too Strange not to be True*, in 1864.

The Canadian Government seems to be doing all that it can: and I believe I may assure you that it is acting with the full concurrence (as to the spirit of its policy) of the Colonial Office here.

I lament, with reference to this matter, as well as on personal grounds, the loss of the Duke of Newcastle.[1] I have no doubt we were at variance on the American, as we were on many other political questions. But he was a really high-minded man and would have been open to any suggestions touching the character of the nation.

His private secretary came to me the other day to give me an account of his end. Born to princely expectations, brought up like a prince, married to the loveliest and most charming woman of her day,[2] blest apparently with a promising family, he died divorced and deserted, with no one to soothe his last hours but a lady who had been the governess of his daughter, and who, though sick herself, volunteered [*The remainder of the letter is missing.*]

OXFORD, April 17, 1865.

MY DEAR NORTON, — I do indeed rejoice with you over this crowning victory of our cause and give thanks to God as heartily as I can for any victory in war. I never can forget that the best things, and those which are in the end to prevail over all the rest, came into the world not in the form of War but of Peace.

Like you, I trust that the work of war is now nearly done. The regular armies of the Confederates are annihilated: and without regular armies to support them guerillas do not hold out long. The Spanish guerillas were nothing without the army of Wellington.

And now may the spirit which animates all you write and say prevail in the conduct of what is to come. If it does, all will be well, and not only well for you but for us. The old fortress of Feudalism will not long withstand the force of your example. It quakes already; and not only at the thunder of victory, but, still more, at the voice of moderation which is heard in the midst of victory, from the lips of your statesmen.

It would scarcely become us to celebrate the military success of another nation — especially a success gained in Civil War. But when the Abolition of Slavery is ratified — an event which will fairly belong to humanity at large — I hope you will see that on that question at least our principles have not changed nor our hearts grown cold.

[1] Henry Pelham Fiennes Pelham Clinton (1811–1864).

[2] Lady Susan Harriet Catherine, only daughter of Alexander Douglas Hamilton, tenth Duke of Hamilton.

Your letter of March 30 was very tantalizing. I wish it had concluded as you thought it was going to conclude. And I wish the Freedman's Aid Society would reconsider their reconsideration. You know there is one house in England at least, of which, though it is far from being a Shady Hill, the single inmate would give you an affectionate reception. You would find yourself at home in Oxford and encircled by pleasant retrograde people. And I am sure access could be procured for you to anyone in the country whom you might wish to see. Some of your rich tourists (as well as ours) do want a little neutralizing; and you would do it, if I am not deceived as to the taste of my fellow-Bulls, to perfection.

I begged Mr. Loring to let you see what I said in my last letter to him about Fraser [1] (whom I am sure you would like and value) and about my own change of plan. What you tell me about Mr. Curtis gives me a keen additional pang. From what I saw of him I longed very much to see more. On the other hand next year I shall be able to come in May, because I can begin my six months residence here in October; and I shall hope to get off my hands some literary work which has been already advertised and which would have been a burden on my conscience if I had come this year.

There is nothing serious the matter with me, I believe: only weakness, arising perhaps from the effects of a very severe and prolonged winter, of which my seasickness had probably made me more than usually susceptible.

Alas for Cobden! We have lost in him the real centre of our party. But he is gone, if ever man did, to a happy rest after a day of good work. If he could only have lived to hear these tidings! And yet I doubt whether he could have thoroughly exulted in anything connected with war. He longed to be at the end of the endless sea of blood.

Within a few months I have lost two out of the three leading public men (Cardwell [2] being the third) with whom in different ways I have been intimate, and whose intimacy has been very interesting and instructive to me. The Duke of Newcastle has left on my mind the impression (deepened by his misfortunes) of a man who in spite of all the temptations of rank and fortune walked constantly in the most laborious path of duty. There is something about these high bred people when they do take a noble line, which will be found again under another name and without the drawbacks in the Democracy of the future. Cobden I had not known long:

[1] James Fraser (1818–1885), later Bishop of Manchester. He visited the United States and Canada in 1865, to report upon educational methods.

[2] Edward, Viscount Cardwell (1813–1886).

but it was impossible to know him even for a short time without greatly loving him.

I was near being asked to stand (or as I think you say 'run') for Rochdale, for which Mr. T. B. Potter the Chairman of the Manchester Union and Emancipation Society has been to our great satisfaction elected after a sharp contest. I have little doubt that I shall be asked to stand for some place at the coming general election. But I have quite made up my mind to decline and spoken positively to all who have sounded me on the subject. What good could I, a student, unable to speak and too old to learn, do in the House of Commons? I am far better employed in my study with my pen. My inclination is rather to retire from the slight connection I have with party politics than to get deeper into them. Besides my health is very weak, and my income very slender. So I hope you will think that I decide like a true sage.

The Negro question will, I fear, be a great difficulty. You cannot have a Pariah caste without fatally derogating from the essential principles of your Republic. On the other hand, from the difference of colour and the physical repugnance, amalgamation seems hopeless. The feeling in favour of the Negro, which the war has excited, will probably somewhat subside and old prejudices will probably in some measure regain their sway. If I were a negro, I think I should make for the West Indies, where under the tolerably kind and sensible rule of the British Corsair, the race has perhaps its fairest chance of civilization. We have a Jamaica negro now at this University, and here, if there are any men of intellect amongst them they may come and be trained up as leaders and rulers of the rest.

I have sent a lecture which I gave to the Historical Society of New York on the History of Oxford to *Harper's Monthly* (I thought it right to send it to a New York periodical), and begged them to pay the price of it to the Freedman's Aid Society in that city.

As to the question between the nations — a certain class of Englishmen have in your eyes and mine committed a moral offence by sympathizing with the Slave-owners, for which they will surely pay, and are already beginning to pay, the moral penalty. But we ought not to think of anything so ugly as war till a *casus belli* arises, of which at present there is really no prospect. You have as yet made no demand in the matter of the *Alabama;* and therefore it is premature to assume that we shall not be ready to do anything that honor and justice may prescribe. This seems to me to be the right way of viewing the case at present.

I hope the sight of Fraser will do something towards preserving peace, if your people will only reason *a fortiori* from the clergymen

to the grenadiers. As to Professors, we detail all the weakest for that service.

I hope you have duly received a letter which I wrote about six weeks (I think) ago, giving amongst other things some incidents respecting the Duke of Newcastle, and which, at the end, I desired you to destroy. Please to destroy all my letters; and then I can talk to you in them as freely as if you were (as I trust you will soon be) sitting here by my side.

With kindest regards to all your party, ever yours sincerely,

GOLDWIN SMITH.

P.S. Of course if there chances to be anything in any of my letters of which you can make any good use, you will do so at your discretion. I sent two or three sentences from your last but one (without your name) to the Manchester *Examiner*.

As to my letter to the *Boston Advertiser*, if you regret its publication, I am sure it ought not to have been published. In this matter I am like the outlaw in the "Lay of the Last Minstrel." I am not sure that I quote rightly —

> An exile from my native land
> In hidden dale I've wandered long,
> But still my heart is with merry England,
> And cannot brook to see her wrong.[1]

And so are all our hearts — let Admiral Porter take notice of it. The working men of Manchester turned out Bright because they were persuaded (wrongly) that he had acted against the honor of the country.

I hope Fraser (of the time of whose visit to *Boston*, by the way, I am not certain) will make the acquaintance of Mr. Childs,[2] whose shrewdness and candour could not fail to be of great use to him.

G. S.

OXFORD, April 29, 1865.

MY DEAR NORTON, — Never did I see the ice which generally covers the feelings of this people more completely broken up than on the arrival of the last news from America.

Both Houses of Parliament and all the great public bodies in the

[1] Misquoted from Canto IV. xxviii:

> "An exile from Northumberland,
> In Liddisdale I've wander'd long;
> But still my heart was with merry England,
> And cannot brook my country's wrong."

[2] Francis J. Child?

Nation will send expressions of horror and sympathy; and in doing so they will truly represent the national heart. There prevails among us, if I do not mistake my countrymen, a deep feeling of compunction, as well as of respect for the Dead, and indignation at the crime.

I should tremble for your people, if I had not seen them. Having seen them I am firm in the belief that they will not allow their Cause to die with any individual life however inestimable and beloved. They will make the best of their new President, try to help him in moderate courses and to make him lean on the right men, and stand by the Constitution.

Slavery has doubly killed itself in striking this blow. If there lingered in any good man's heart the slightest sympathy for the fallen cause which thus avenges itself, it must be extinguished now. And whoever may have been the instigators of the crime — whether there were any instigators or not — Slavery the parent of all crimes and abominations is the manifest source of this criminal's inspiration.

Lincoln's death-knell is the death-knell of this great power of Evil too, and the morning chime of a new era for Lincoln's nation.

What a Drama has this been! May God preserve and guide you all! Ever yours affectionately,

Goldwin Smith.

Oxford, July 26th, 1865.

My dear Norton, — The work of term and the election which followed being over, I am just setting off for Normandy where I shall spend five or six weeks in sauntering about very leisurely, and where I hope to pick up a little health as well as a little history.

The result of our general election gives English Liberals just cause to be thankful for the heroic constancy and still more heroic self-control of the American people. If you had failed in the war, or done what your enemies predicted that you would do and what other nations in similar circumstances have done, at its close, the boast of the reactionary party here would have been fulfilled, and the Liberals would have been completely defeated. As it is, we have gained twenty-five seats and shall have a majority of sixty at least in the next Parliament. I must not exaggerate our victory. Many of the so-called Liberals are wealthy men, entering Parliament for commercial or social objects, professing Liberalism because it is the established creed of the boroughs for which they are members, but with little real interest in politics and quite indisposed to measures of organic change. The members of the Whig aristocracy also, who clung as Liberals, are Liberals in fact by connection

only, not by conviction. The organization of the old parties here is remarkably strong and enduring. It resembles the hereditary politics of some of the great houses in ancient Rome. Still, I think we shall get, or at least make progress towards getting, some Liberal measures. One in which I feel personally a strong interest, the Abolition of Academical Tests, will, I think certainly make way. I do not despair of seeing an extension of the County franchise, which would somewhat diminish the tyrannical influence of the great landowners in those constituencies, and thus remove, or at least weaken, the greatest obstacles to measures of social reform. I think it probable too that the Irish Church will become the subject of serious discussion, more especially as a happy change seems to have come over the spirit of Irish politicians, who have lately been inclined to act with the Tories in the interest of the Temporal Power of the Pope, but who seem now disposed to act again with the Liberals in the interest of their own country. At all events, "Conservative Reaction" is at an end.

The change among the Irish was produced, partly at least, by a rash sally of insolence on the part of Lord Derby.[1] The fact is that this man does not care what he says, whether about America or the Roman Catholics, because he does not wish to come into power. He has a colossal fortune, is very lazy, is at the head of English society, fond of horseracing and (strange to say) equally fond of elegant literature, has a fit of the gout whenever he comes into office, and has been twice Prime Minister already. There is moreover a dearth of ability among his leading supporters (the residuum of the old Conservative party after Peel and all the flower of the party had left it) which he is shrewd enough to appreciate, and which forbids him to hope for a glorious reign. He must remain at the head of a party or he could not be, what he loves to be, the leading orator of the House of Lords; and to remain at the head of a party, he must preserve the attitude of a candidate for office. But it will be under some momentary impulse of his hot temper if he makes any serious effort to come in. Exclusion from office is perhaps not the more bitter to him because it is wormwood to Disraeli, whom he cannot shake off, but whom he is believed most cordially to hate.

The leading Unionists here were successful — Mill at Westminster, Fawcett at Brighton, Hughes at Lambeth, T. B. Potter at Rochdale. And though the attempt to unseat Laird at Birkenhead failed, it is something to have put his seat in jeopardy, considering that he is the commercial emperor of the place. When you consider

[1] Edward George Geoffrey Smith Stanley, fourteenth Earl of Derby (1799–1869). The "characteristically rash pleasantry" was uttered in a speech on the Roman Catholic Oaths Bill, June 26, 1865.

the influence of wealth at Westminster and Brighton, you will own that those elections mean much.

Gladstone was rejected not by the University proper, in which he had a very large majority, but by the 4000 non-resident electors. The event has crowned him leader of the Liberal party when the interminable decrepitude of Palmerston shall at last come to an end. It seems natural and is assumed by everybody, that his change to a more Liberal constituency will make him more Liberal: but those who are aware of the waywardness of his genius are inclined to doubt whether the natural effect will ensue. He is however a staunch economical reformer, and really disposed to improve the condition of our working classes. The Tory landowners, by their virulent attacks on him do their best to confirm him in this disposition. His main difficulty as a leader of the Liberal party will be the divergence of his ecclesiastical opinions, (he being a High Churchman and completely entangled personally in that connection) from those of the rest of the party. In your country, fortunately for you, this complication cannot arise. On the question of the Irish Church however, which is the one of most practical urgency, Gladstone has, I think, decisively committed himself to a Liberal line: and as the Irish Church, from antagonism to the R. Catholics is ultra-Protestant, the Romanizing party in our Church will not be so angry with their chief for consenting to its destruction.

I went of course heartily into our local contest with my friends: the more so as I felt a personal interest in Gladstone as an eagle (or a tolerably near approach to one) pecked by daws. But I felt little of the excitement which I should have felt if I had not been in America. I trust I may say without breach of loyalty to England that I have the hopes and the interests of an American as well as of an English citizen, and I know that the Common Cause is safe in your hands. Anything like personal antipathy to our aristocracy I trust I have never felt; and so long as we do not go backwards I am ready, if such is our destiny, to wait till the great problem of a free community shall have been manifestly solved by you. You seem to me to be prospering altogether. The negro question is of course your grand difficulty: and it is such a difficulty as perhaps has seldom occurred in politics before. But I have learnt by degrees to have almost unlimited faith in the practical sagacity of your nation.

We are all sickened by the crime of Pritchard.[1] The crimes of the uneducated or embruted do not come home to one. But this

[1] Dr. Edward Pritchard, who was tried, condemned and executed for murdering his wife and mother-in-law. See *Annual Register*, 1865, 221.

makes one say with trembling as the old Puritan did when he saw a man going to be hanged, "There, but for the grace of God, goes John Bradford." The affair of Constance Kent too is a portentous tragedy.[1] There seems no reason to suspect insanity. She appears to have been by nature diabolically wicked. There is evidence tending to prove that she thought of murdering her mother-in-law but considered that she should inflict more pain on her by murdering her child!

Pray give Mrs. Norton my best thanks for her kind letter. She bade me not answer it at the time, and as I was ill and overworked I did not do so. The tokens of her and your affection are always welcome to me; and doubly welcome when I am ill, cut off by illness from society (though I am pretty well broken in to solitude) and suffering from the depression which when one's power of work are paralyzed no effort of self-control in one who is not a moral Hercules will keep entirely at bay.

The photograph book is nearly completed. It does not quite satisfy me: but, such as it is, it shall find its way to Shady Hill by the time you return there for the winter.

I long for the hills and air of Normandy, and the tranquillizing calm of the great Churches. My kindest regards to all your party. Yours affectionately,

GOLDWIN SMITH.

My route in Normandy is so uncertain that I shall not be able to have my letters forwarded, unless I should happen to stay long enough at one place to send for them.

OXFORD, Oct. 1, 1865.

MY DEAR NORTON, — I have just returned from my pleasant wandering in the quiet parts of Normandy (quiet and simple for the most part as they were in the days of Louis XIV) with strength enough, I hope, to carry me through the term's work. But at the end of the current Academical year, i. e., in the beginning of next July, I shall probably give up my Professorship. I have a fellowship of £200 a year (the income of which I do not draw while I hold the Professorship) to fall back on; and I shall devote myself to literary work as my strength serves. My great ambition (I am afraid it is too great an ambition) is to write a history of the English Revolution of the time of Charles I. to which this magnificent sequel has lent increased interest. Writing is not like lecturing, which

[1] Constance Kent, convicted on her own confession, five years after the event, of the murder of her brother, Francis Saville Kent. See *Annual Register*, 1865, 228.

makes a periodical demand upon one's powers: one can take it up and lay it down as one pleases.

I am afraid the reduction of my income, independently of the question of health, will prevent another visit to the States: yet I have a strong presentiment, to which perhaps the strong wish is father, that I shall see America again.

I saw nothing and nobody of note in France except M. Guizot, with whom, finding myself near his country house, I went over to pass a morning. He is living with his children, his sons and daughters-in-law and his grandchildren round him, a pretty patriarchal picture, still actively engaged in literary work, and on the point of bringing out the second volume of his work on Christianity, which is to give an account of the present state of religion in France. Evidently the old man is enjoying, after all the storms and disasters of his political life, a very happy and serene old age — and this is strong proof that his life, though not free from faults, has been honorable and devoted to good objects on the whole.

The Government of Guizot and Louis Philippe, if it was not very pure or very august, was at all events a civil not a military government — it did not wilfully stimulate, though it did not firmly repress, the national thirst of glory and rapine. It was at heart, a government of Peace, though to its ruin as well as to its dishonour it sometimes bowed down to the French Fiend-God of War.

Our talk was all of literature and ecclesiastical affairs. Guizot scarcely touched on French politics, and I did not like to draw him on the subject. But in the general remarks which he let fall, his tone was that of a man appealing to a very distant future. He seems to be completely thrown back on a revival of Religion, as the only way of redeeming the nation from the abyss of materialist and sensualist despotism into which it has fallen.

There is a good deal of commercial activity and growing wealth, accompanied by excessive luxury, in France. But politically the nation seems dead; and there is nothing, so far as a stranger's eye can discern, to roll away the stone from the mouth of the sepulchre. Domestic morality, and to judge by the popular literature, morality of all kinds appears almost extinct. Obscene songs, sung with obscene gestures, are the delight of high society and the Court. In *Le Luxe des Femmes* (a very popular little pamphlet which I advise you to get) the luxury of women is defended on the ground that unless the wife spends a fortune in dress she has not a chance against the courtesan. Religion is the emotional superstition of the female sex. No man of sense in the towns goes to Church or believes in any thing at home. As to the clergy, no doubt there are good men among them, especially in the rural districts, but as a body they are

priests of Baal, cozening the people with false miracles and lies, and ready in the interest of their own order, to anoint any tyranny and bless any injustice. It is really the Roman Empire of Juvenal with its corrupt matrons and its priests of Isis over again. The fêtes which it is a part of the business of the Préfets to be always getting up, complete the resemblance. *Panem et Circenses.*

One religion however the French still have, the worship of Military Glory incarnate in Napoleon I. Everything that the Government can do to stimulate the lust of war and conquest is done: and a military character is assiduously given to every public act, to every festivity, and as far as possible to life from the cradle to the grave. At the distribution of prizes in a school of "the Christian brothers," all the military in the town are collected, the sous-préfet comes with a military guard, military music is introduced at each stage of the ceremony, military emblems are everywhere displayed, and the urchin who speaks the address tells you, amidst great applause, that he and his school-fellows are being brought up to be "good Christians and good soldiers." In America wherever I went I saw peace in the midst of war. In France (though I avoided the garrison towns as much as possible), I saw everywhere war in the midst of peace. Nations love military display, which flatters them with the consciousness of force, just in inverse proportion to their moral greatness, and I hope, when it comes to a decisive struggle, in inverse proportion to their real heroism. The French have beaten the wooden armies of the old despotisms: they have never beaten a nation. I fear, however, that before luxury does its work and consigns them to a second epoch of Louis XV, they will have devoured the liberties of Belgium and Switzerland.

The prospects of the old world are not good. In attempting to pass from the feudal system to a system of society founded on equality and justice the nations have sunk down under military despotisms; and though Providence will find a way out of this as it has out of other apparently desperate situations, the way is not yet disclosed. I sometimes think that there will be in the end a death struggle between the nations and the standing-armies which would be the most terrible thing in history. In the new world and in your people at present lies the hope of humanity: and having seen how good that hope is, I felt, among the swaggering Zouaves and the sous-préfets, as though I had the death-warrant of Imperialism in my pocket.

It is astonishing how rapidly French Imperialism has corrupted Europe. Bismarck, O'Donnell [1] — all these men of sabre-sway —

[1] Enrique O'Donnell, Count of Lucena. He died in 1867, a defender of the Bourbons.

and in no small measure Palmerston himself — are imitators and creatures of Louis Napoleon. I am sorry that you are obliged (as I suppose you are) to recognize the Satrap Empire of Mexico. If it succeeds it will inoculate your Southern States with a virus fatal to Republics.

So far as I have been able to see through the dim medium of the French papers your affairs have been going well. I cannot form a judgment as to the President's policy — whether it is honest and wise conciliation, or whether it is a policy of compromise, the work of one who is too little of a Lincoln and too much of an ambitious politician. Your elective Presidency is a terrible trial of virtue. I see our Southern journals are beginning to damn Johnson with their approbation. I never liked the school from which he came. But I trust your people to finish their own work.

The negro suffrage question is the one which to a distant spectator seems most difficult, and almost desperate. How can there be real political equality without social fusion? And how can there be social fusion while the difference of color and the physical antipathy remain? I cannot help thinking that negro emigration on a large scale will prove the best way out of the wood. And happily our West Indian dependencies under a really paternal government (for such, say what you will, the British government in dependencies is) lie close at hand.

I am sorry to see by the last news that another cloud has arisen in our diplomatic sky. I need hardly say that I do not love the Contributors to the Cotton Loan.[1] But surely it would be monstrous to maintain that a Government completely commanding the obedience of a vast territory and having great armies in the field was not a *de facto* Government, however wrongful its origin and however vile its objects may have been. Your own Government negotiated with it. Your President met its envoys. Could your neighbours be expected to ignore its existence?

Respecting Froude's history — if the name of history can be given to a mendacious and sophistical romance — I should like very much to write a notice of it. I did review it in the Edinburgh some time ago.[2] At present I am bound, as fast as my lectures will permit, to

[1] See Bigelow, *Retrospections of an Active Life*, III. 217.

[2] Reviews of Froude appeared in the *Edinburgh Review*, CVIII. 206; CXIX. 243. "An article on Froude in the *Edinburgh* is by Goldwin Smith. It is rather *too personal*, to say the least, in its tone. Goldwin Smith was a contemporary of Froude's at Oxford, and is now Professor of Modern History *vice* Halford Vaughan." *Arthur H. Clough to Charles Eliot Norton*, July 30, 1858. "It is thought rather a shame by those whom I have heard speak of it, and Froude's answer in the *Fraser* of October is certainly temperate and well mannered, and

complete a School History of England for our University Press. But I will try to find time, and I am pretty well posted in the subject.

My kindest and most affectionate regards to all your party. Ever yours sincerely,

GOLDWIN SMITH.

Thank you very much for the portraits of Dante and the Lincoln.

MORTIMER, READING, Dec. 16, 1865.

MY DEAR NORTON, — I did not like to write to you about the events in Jamaica till I could tell you something that might redeem the honor of the country. Now, I am happy to say, I can. A Royal Commission of Inquiry into Governor Eyre's[1] proceedings is to be sent out, and he is to be suspended till it has done its work. A very good man takes his place in the meantime. Whether he and the other criminals will be punished as they deserve is another question. But a nation cannot be expected to recover at a single bound from such a state of public morality as has been prevailing here under the Palmerston regime. The victory of sound over unsound public opinion may, however, I hope be called decisive. The *Times* and other journals of the Palmerston tribe which began by upholding tyranny and cruelty in the name of England, and denouncing all opposition to them as unpatriotic have discovered to their cost that England has still something of a conscience left in her, and are ignominiously sneaking over to the side of humanity. It has been a struggle between two parties as nearly as possible identical with yours: and we have again felt the inspiring influence of your victory, and the still more inspiring influence of the humanity with which it has been used.

Our Government is not strong in any sense. Its first impulse, I am afraid, was to support and screen its subordinate in Jamaica. The course it has now taken is forced upon it by the pressure of public opinion: but the result is all the more encouraging as regards the character of our people.

You see that Forster, the member for Bradford, a great ally of

is said to be victorious in argument. Froude, I believe has earned £1,800 by his books. Hallam, if you care for such statistics, told Sir Francis Palgrave the other day, that his total earnings by his books had amounted, in all his life, to about £20,000. Sir Fr. Palgrave said he himself had never received anything; but that refers probably to his Histories only." *Ib.*, September 10, 1858.

[1] Edward John Eyre (1815–1901). The commission reported in his favor as to suppressing the riot, but condemned the subsequent "unnecessary rigor." Sir J. P. Grant was his successor.

Bright and a staunch friend of the North, has become a member of the Government.[1] No doubt we shall have a measure for the extension of the suffrage; and if it is, as we expect, £20 for the counties and £8 for the boroughs, it will probably pass. Lord Derby is personally committed to as much as this and therefore he can scarcely advise the Tory majority of the Lords to reject it.

Lord Russell cannot go on long, and then we shall have Gladstone as leader of the Liberal party, with his strange hybrid mixture of political and economical Liberalism with High Church opinions. The High Churchmen, by the way, have deeply disgraced themselves, through their organs, in the Jamaica business. They know full well that Force not Justice is their friend, and they support it accordingly, however sullied with tyranny and murder it may be. When will the world be delivered from these superstitions?

I would give something to be at Washington now. The political struggle will be equal in interest to the military. But it is a great pity that your Ministers are not in Congress to explain and defend their own policy. It must be very difficult for Congress to modify that policy without coming actually to blows with the Executive. I cannot help thinking that these events will lead in the end to some alterations of the machinery of your Constitution.

Johnson seems to be a statesman. But I confess my heart does not accept him as the successor of Lincoln. Your people however I trust are staunch, and will not suffer him or anyone to deprive them of the fruits of their victory, as they will be deprived if Slavery is not extirpated root and branch so that it shall be heard of no more for ever.

Connecticut is so orthodox that I should hardly expect her to be moral. How can people who believe in an Arbitrary God above, seek, with singleness of heart, to establish justice below?

Not that I am very strong about immediate political rights. I should think it enough in the first instance to secure to the negro all the rights of man, giving him the prospect of the suffrage under certain conditions. I take it for granted that the South will for the future be allowed to have votes in Congress only for the enfranchised population. A continuance of the present system would be a premium on disfranchisement.

It is a desperate problem this of getting the ex-slave-owner and the ex-slave to live together as brethren, without any controlling power to keep peace and justice between them. It taxes to the utmost my faith in the practical sagacity of your people.

[1] Under Secretary for the Colonies.

In the West Indies, under the control of our Government, matters have gone pretty well on the whole. The present lamentable catastrophe in Jamaica is due, so far as we can see, mainly to the want of wisdom and integrity on the part of the Governor who was appointed by the Home Government on very good grounds, and whom they had every reason to trust. But it is evident from what has now happened that had the whites and blacks been left to themselves, instead of being controlled by England, the island would long ago have been the scene of a dreadful war of races, which would have ended probably, in that case, in the destruction of the whites.

The negroes cannot be said on the evidence before us, to have shown great ferocity, rather the reverse. In truth if the element of ferocity had not been rather wanting in their character, they would never have been made, or would not so long have remained, slaves. If they would show their teeth a little now, the temptation to reduce them into a state of serfage would be less.

How wise and how truly glorious is the reduction of your standing army! This old world is now under the feet of standing armies and their masters, in spite of the forms of constitutional liberty which most of the nations possess. I wish I could say with full confidence that England was an exception. But in this Jamaica business we have been made to feel that our Executive too has an awful power in its hands.

I wish I could write oftener: but my power of work hardly suffices for the work I have to do.

Remember me most affectionately to all your party. I hope your little son has quite recovered from the effects of his illness. Ever yours sincerely,

GOLDWIN SMITH.

OXFORD, Jan. 6, 1866.

MY DEAR NORTON, — I have received most kind invitations simultaneously from Mr. Lowell to deliver a course of lectures at Boston and from the President of Harvard College to deliver one there. These would be great additional inducements, quite independently of the liberal remuneration which is offered to visit America next summer if it were in my power to do so. But to the impediment arising from my own debility which, might after the exhaustion of a voyage, incapacitate me for literary exertion, and from an engagement to our University Press, which but for my feebleness of health ought to have been fulfilled before and which I shall feel bound when the work of my Professorship is off my hands, to fulfil, there is now added one of a still more decisive kind arising from the health of my Father. I received the other day an

alarming summons to his house: and though the dangerous symptoms have now passed off, he is still nervous (and at his age not unnaturally) about his state of health, more especially as the disease to which he believes himself to be liable is such as might lead to a sudden termination. My Mother-in-law, though she has in some degree recovered her general health, remains completely crippled by the effects of her malady, and my Father is thus deprived in great measure of his only companion and helpmate. Under these circumstances I am sure it would be a great affliction to him to learn that I was going to the other side of the Atlantic.

The plan which I have chalked out for the remainder of my life (supposing I can recover my strength and power of literary work) is this. After resigning my Professorship in July I shall stay here till I have completed the short history of England during the Middle Ages which I have undertaken to write for our Press, and for which I have collected my materials here. Then I propose to take up my abode with my Father, to whom that arrangement will be welcome, at his house at Mortimer in Berkshire, about midway between Oxford and London, carrying with me materials for a short history of the English Revolution in the time of Charles I, a period to which I have paid a good deal of attention. If I survive my Father and am still able to work, I propose to come over to America, to reside there for some time, and close my literary life by writing some portion of American history, for which the study of our Revolution will be a useful preparation. The critical state in which my Father the other day believed himself to be led him to make some explanations as to his pecuniary circumstances from which it appears that I am likely to be somewhat better off at his death than I supposed, though a large part of his income is the property of my Mother-in-law and goes, under an entail, to her relations. This plan, like all framed by mortals for the future, may be overturned by a thousand accidents; but still it is agreeable to have a plan. I know you are too affectionate a friend to find fault with me for troubling you with these personal details.

Of public affairs the most important here continues to be the Jamaica question, which is evidently tending towards a fierce party struggle when Parliament meets. It will be a decisive test of our morality. I trust we shall bear it, but the struggle will be most severe. Fortunately the acts of the Governor and his satellites are so flagrantly *illegal* that almost all the lawyers are on our side. No feature of the case is more terrible — I might say *appalling* — than the sympathy which our military men in this country almost unanimously display with the violence and atrocity of their brethren in Jamaica. Heaven grant that we may never fall under

their yoke. But it is a danger to which we ought not to be blind.

We have done very wrong, though you have given us every facility for doing what was right, in the case of the *Alabama*. I am not sure however that the protracted unsettlement of the question will not in one respect be beneficial. The gentlemen at Liverpool will be too much afraid of reprisals to wish for any, least of all for an American war. And thus there will be less chance than ever of our being drawn into any sinister combination with French ambition.

My most affectionate remembrances to all the inmates of your house, and many a happy New Year to them all. Ever yours sincerely,

GOLDWIN SMITH.

OXFORD, March 27, 1866.

MY DEAR NORTON, — Your last letter was more than welcome: for after the President's speech on Washington's birthday your friends in this country felt much as they did after Chancellorsville. That he is a low man, as you say, is certain. But I am afraid he is also a bad man. Nothing could be a stronger proof of a bad heart than the way in which he turned round upon his friends and his cause. It seems to me that it was too clearly a case, not of violent language used in momentary irritation, but of a traitor thrown off his guard by anger and prematurely taking off the mask. It is well at all events that he has taken the mask off.

Your letter was so interesting, and the anxiety of all the friends of America here for authentic information at this crisis is so great that I have ventured to send a long extract, of course without your name, and with the omission of what you had said about Seward and Sumner, to the *Daily News*.

If the President's speech had been a mere outburst of coarse resentment, it would have been excused by the conduct of Sumner and his section. What a pity that a strong and wise man has not turned up to lead the Republicans! Perhaps this crisis may bring one out.

I have sent you through Trübner (carriage paid as far as I could secure it) one hundred copies of an Address on the Civil War which I delivered at Manchester in January, at the last meeting of the Emancipation Society, as printed by desire of the Society. I thought you might possibly like to have a few copies to give away — but pray understand that I by no means wish to impose on you the burden of distribution. I have sent a parcel to Mr. Loring also

with a request that if he thinks proper he will send a few over to the Union Club.

Your Custom-house is a terrible gauntlet for English books to run. I think our publishers will cease to export them altogether. This is not like Florence, or even Venice.

Talking of Addresses, Bancroft's effusion [1] produced in this country the effect you may imagine. Surely it was a gross breach not only of good sense but of social rules. Our Ambassador was there not only as a matter of official form but to represent a strong and genuine though tardy feeling of the English nation — a feeling which you may hear expressed in a way which precludes any suspicion of insincerity in any English company, high or low (except perhaps the select circle of Mr. Spence [2]) into which you are thrown. And again I have no patience with a historian who represents us as a filibustering nation because we were a conquering power in the days of Chatham, when aggression was the rule of the world. The Colonists in those days went with Chatham just as heartily as the people in the Mother Country. Our last significant act was the abandonment of the Ionian Islands, a step which we took not only without pressure, but against the wishes of the Powers who had put the Islands in our hands.

The mischief which these escapades do is very great. Not only every high-bred man but every mechanic in the nation contrasts them with the supposed dignity of aristocratic statesmen and draws conclusions unfavorable to republican institutions. The mechanics, I say, do this quite as much as the higher classes. And they feel, as much as the higher classes, attacks upon England. The consequence is that they learn to regard America as a hostile country, and that the English labour, which would be so valuable to you, and for which Irish labour is a very poor substitute, goes not to America, its natural destination, but to Queensland.

Bancroft and his coadjutors in the propagation of Anglophobia are producing a tacit alliance among the European powers, especially England and France, the weight of which is thrown into the Slave-owner's scale and enables him to show a bold front and make high demands in view of possible quarrels with foreign powers. The President has more than once allowed this influence to appear in his language on the subject of reconciliation.[3]

Your people do well in showing no sympathy for Fenianism. Not a single person capable of taking an intelligent view of the interest of Ireland has joined, or shown the slightest sympathy with,

[1] Memorial Address on Lincoln. [2] James Spence.

[3] The comment gains force when it is recalled that Bancroft wrote the first message sent to Congress by President Johnson. See 2 *Proceedings*, XIX. 395.

the movement. If it came to a head, we should have not an attempt to get up a republican government in Ireland, or even any thing that could be dignified with the name of a civil war, but a scene, on a large scale, such as you had at New York, with tossing of children on pike-points and the other accompaniments of Celtic insurrection. The suspension of the Habeas Corpus Act is an evil necessity to which, no doubt, we should not have come, but for ages of misgovernment; but it has been attended by no needless cruelty, and the trials of conspirators have been *perfectly* fair. Their terms of imprisonment will probably be shortened when the danger is over. In the last thirty years at least the intentions of the English government and people towards Ireland have been good. The two great injuries which they persist in inflicting on her are those which they persist in inflicting on themselves — a barbarous land-law and an Established Church. We shall in the end get rid of these things. We shall get rid of the Established Church in Ireland at no distant time — if the Fenians will let us. Nor do I apprehend that even Fenianism will materially interfere with the progress of a Liberal policy: for the temper of our people on the occasion has been decidedly good. The moderation of the government has been popular, as well as its firmness.

In measuring the efforts of the Liberal party, however, in Irish questions, you must recollect that we have to act with [*blank*][1] who, the moment they have got what they want for themselves, will turn round and join the Tories and the Priest Party among the English Clergy. The other day the leader of the Irish in the House of Commons, D. O'Donoghue,[2] voted with the Tories and High Churchmen against the Bill for the Abolition of Academical Tests. Our Tests, of course, to him are false; but he voted for *any* tyranny over Conscience.

We carried that little Bill, by the way, by a large majority; and though we have the Lords before us, we begin to hope for success. I may yet see Oxford restored to the nation.

We are going to have a very sharp struggle on the Reform Bill, against which the old Whigs and Palmerstonians have, under cover of a jesuitical amendment, combined with the Tories. It is impossible to say at present, what the result will be. Probably a majority for the Bill, but too small to save it.

Many thanks for the Revenue document. You have nothing to fear in finance now except a conflict of interests, aggravated by Protection.

[1] Irish themselves?

[2] Daniel O'Donoghue, of Summerhill, county Kerry, commonly called "The O'Donoghue of The Glens."

I have arrears of thanks to pay you also for an article which you some time ago pointed out to me in the *N. A. Review.*

My History crawls, my powers of work being at zero. But I am giving up every thing else, literary, Academical, political, that I may get on with it. It will be written, sooth to say, more for Americans than for Englishmen. Americans will more easily forgive than Englishmen the omission of a good deal of orthodox matter (barren Norman wars, etc.,) if I can succeed in giving them in a tolerably clear and connected way the essential facts of English history.

Last Saturday, all London turned out in the grey of the morning, and covered the banks of the Thames for five miles with swarms of people to see the Oxford and Cambridge Boat race. These boys of ours with their passion for physical health, symmetry and vigour, the half-ascetic lives they undergo to attain them, their unreflecting Conservatism and their Balaclava charges, are probably the nearest thing the world can now show to Ancient Sparta. I am afraid that in their case too there is a Helotage. They are out of date, out of keeping with modern, even with Christian society. But I suppose there must be something poetic about them, or the nation would not be so bewitched with them as it is. The poetry, however, whatever it may be, departs with their activity and the beauty of their forms, and leaves something very unromantic behind. Their athletic wreath is hung in the Hall of Aristocracy and their Pindaric glory is a grain, politically, in the Conservative scale.

The *Nation* spoke so kindly of me in the last number I received that I may almost seem bribed to pay it a compliment. But I have been reading it with sincere admiration as well as interest. It is in its department, the first fruits of the regeneration which a great moral struggle was sure to produce.

Don't preach up Matthew Arnold too much. He is a very clever and a very neat writer, though a ludicrously palpable imitation of the French. But he has no heart or eye for truth or genuine worth of any kind. *Grandiosity* is the staple of his philosophy: and he forgets that the grandiosity of French despotism measures the moral weakness of the people. He was private secretary to Lord Lansdowne, a grandee much famed for Medicean sumptuosities, and also for septuagenarian debaucheries of the most indescribable kind.

The first spring day is shining through the windows of my study. I wish it would bring me a little more power of work.

My best love to all the inmates of Shady Hill. Ever yours affectionately,

GOLDWIN SMITH.

The Address, I am sorry to say, is a disgrace to Manchester typography.

You see we are in a fair way to set ourselves right about Jamaica. The revelation of ex-slave-owner propensities has come very opportunely.

HENRY CHARLES LEA TO CHARLES ELIOT NORTON.

PHIL'A July 13th 1866.

Dear Sir, — A day or two after my last letter, my anxiety respecting your Ms. was relieved by receiving it from Mr. Curtis, and I return it herewith. I have read it with much regret, and such has been the feeling of those to whom I have shown it, in accordance with the discretion which you allowed me.[1]

It is very difficult to understand the motives which prompt Mr. Seward to this course. We surely cannot do him the injustice to suppose that he allows himself to be deceived by sophistry so shallow as that in which he indulged to you. He is not a man to act without an object, and I confess myself unable to find the key to the enigma. Johnson I can understand. There is that in the training of a poor Southern white which may, in a nature such as his, be ineradicable; and we can readily imagine a character so essentially vulgar to be dazzled by the future which the flatterers around him can so easily picture forth. But Seward seems to be ruining his future for the mere pleasure of contradicting his past — a more self-stultifying suicide it is difficult to conceive of.

I was greatly pleased with Goldwin Smith's address, which I read with much interest. Distance, however, lends enchantment to the view, and however grateful be the splendid eulogy which he pronounces upon us, we, who were inside, and who saw how many selfish and baser motives were mingled with the patriotic self-sacrifice that illustrated the struggle, cannot but feel that much of the praise which he so eloquently pours forth is undeserved.

Can you favor me with Prof. Smith's address (I mean his residence, not his discourse)? I should like to send him a copy of my little book, which, amid many interruptions, is at length drawing to a conclusion, and which in a few days I hope to see in the hands of the binder.

I am greatly in hopes that the "National Union" convention to be held here next month will prove a petard to hoist its engineers — as was the case with its Chicago prototype. So impudent and barefaced an attempt to organize the South for renewed hostility and to array it against the nation cannot but prove shocking to the sense of the North, and the sort of reconstructed unrepentant rebels

[1] This refers to an account of a conversation of Seward with Norton and Godkin, April 12, 1866. It was printed in Ogden, *Life of Edwin L. Godkin*, I. 260.

whom they will send here as delegates will be likely to open the eyes of their honest, unsuspecting friends.[1] Very Truly Yours etc.

HENRY C. LEA.

A day or two since I received a cheque from Messrs. Ticknor & Fields for $8, for notice of Brinton Coxe's *Guterbock*.

H. C. L.

OXFORD, Sept. 7, 1866.

MY DEAR NORTON, — It is an age, almost a cycle, since I wrote to you — quite a cycle of Europe if not of Kathay. What a change! — an independent Italy, a united Germany, or a fair prospect of one, and all in a moment! The German revolution took us very much by surprise. Its nature was hidden by the sinister figures of the King and Bismarck, their arbitrary domestic policy, their rapacity in the Schleswig-Holstein affair. In the small despotic states the expression of opinion was forbidden by the petty despots. Just before the revolution, I was sitting by Stuart Mill at dinner and we were agreeing that our sympathies were divided between our desire to see Italy perfectly free and our dislike of Bismarckian self-aggrandisement. Even in Berlin, up to the last moment, they were holding great meetings to protest against war. Would that the end could have been gained by any other means than war, which always brings evil with it and leaves evil behind it! But certainly the immediate results of bloodshed have seldom been so good. Vistas of a reign of peace and a reduction of the standing armies which devour and degrade us begin to open. If the Zouaves will only be content!

I do not believe, from what I know, that Bismarck is a man of first rate ability. He has done and said a great many foolish things. On this occasion he greatly compromised his own cause by his insolence and violence. But he saw that Germany was longing for unity, and he had the courage to take the rope between his teeth and jump in.

The South of Germany will in the end, and probably before long, gravitate to the North. The South Germans are Catholics, but Catholics by compulsion and accident, which in fact may be said of Teutonic Catholics everywhere. Catholicism was forced on them by the House of Austria. The Bavarian priesthood have always been Utraquists[2] and opposed to clerical celibacy.

[1] On the National Union Club and its convention, held August 14, see *American Annual Cyclopædia*, 1866, 754.

[2] The chief tenet of the Utraquists or Calixtines was that communicants should partake in both kinds (that is, of the cup as well as of the bread) in the Lord's supper. *Century Dictionary*.

It was not the needle gun, nor even the strategy of Moltke, but the Prussian nation that beat the Austrian standing army. It is consolatory to see that the moral forces are the strongest even in war. The Austrians were as slow and as blundering as ever. They committed over again the blunders of their old campaigns against Napoleon. They ought to have thrown the whole of their force upon the Prussians, standing on the defensive in the Quadrilateral, and Benedek ought to have thrown his whole force on one of the two Prussian armies as they issued separately from the Bohemian passes.

And now will Austria live or die? Her old bond of union, the necessity of mutual protection against the Turks, which was in force till the middle and even beyond the middle of the last century, is of course utterly gone. Can she find another in its place to bind together the ten languages which her bank-notes bear upon their face? Her German Provinces, which must now necessarily cease to lord it, as they have hitherto done, over the rest, will begin to yearn for confederation with their German brethren. She does not deserve to live, for she has long been a mere organization of imperial and oligarchical selfishness. Her provinces have been merely the recruiting grounds of a great standing army, which trod civilization and justice under its hoofs. She has done much to retard progress, absolutely nothing to advance it.

In England the Reform Agitation is going on with some increase of force. But the sentiment evoked seems to me to be rather class antipathy than desire of free institutions. In 1832 the rich were divided. Many of the country gentlemen were on the side of Reform. Now the rich are almost all united in opposition to Reform, and in a wealth-ridden country to overcome this opposition is very hard. However next Session of Parliament you will see the Liberal party alive. It seems as though Gladstone had cast in his lot with us, but he has very entangling connections with the aristocracy — his wife still more so.

I dare say you see that our papers are full of the question of "Ritualism." This strange ecclesiastical back-stream, which is closely connected with the political reaction, had its exact analogue in the age of Charles I. The two periods present many points of resemblance. I hope we, like our Ancestors, shall defeat the reaction, though without a civil war.

I need hardly say that I continue to read your politics with intense interest — with much more interest indeed than these European politics with the crash of which our ears are full. But I find it quite impossible to form a judgment from the newspapers of the course things are really taking. I look on in confidence how-

ever, knowing that the ultimate direction will rest not with the politicians of Washington but with the people. Of course this is the honeymoon of the President's party. If they get into power, or even near it, their differences will begin to appear. The Southerners instead of keeping conveniently in the background will then begin to ride the party hard, and surely they must ruin it in the estimation of the nation.

It is disappointing after national throes which one would have thought were enough to give birth to great men, to see such very indifferent substitutes for great men still at the head of parties. By this time a man ought to have appeared whose very presence would consume Dean Richmond and Thurlow Weed.

I know you must feel pretty much as I do with regard to the conduct of Congress and of the politicians on both sides in the matter of Fenianism. But I am afraid there is real danger in prospect. It is impossible that our Government can tolerate murderous invasions of its territory by the citizens of the United States encouraged and abetted by the American legislature and by the leaders of American parties. It is provoking to think that the President, arch traitor as he is to the best cause on Earth, has distinguished himself by behaving in this matter like a man of honour.

The more we hear of Jamaica, the more difficult it seems to believe that the ex-slave-owner and the ex-slave will ever form a community together. After all, will not extensive negro emigration prove the way of escape? At all events partial emigration would be beneficial because it would raise the price of negro labour and redeem the race from complete dependence on their Southern employers. I wonder whether any of them will ever find a by-way to Equality by the road of art or music? Have they any special gifts as a race which could be cultivated without exciting the jealousy of their white competitors? "The South Since the War" is most interesting.[1] Many thanks for your kindness in sending it.

I hope you are all well. When shall I see you again? I have not been able to go out of reach of my Father's house this summer. The physicians for a long time could make nothing of his malady. At last they have pronounced though not very decidedly that it is brain. It manifests itself in the most painful manner, and requires the constant attention and vigilance of his family. Just now he is rather better.

My history goes on steadily, that is I work at it every day, but slowly, my powers of work, which were never very great being certainly less than they used to be. It is a hard task, writing a history

[1] By Sidney Andrews, correspondent of the Boston *Advertiser*.

of this kind, because it requires great care in the composition, for the purpose of economy of space as well as for other purposes, besides the labour of eliciting the facts.

With my very kindest regards to all your family, Ever yours sincerely,

GOLDWIN SMITH.

MORTIMER, READING, Oct. 8, 1867.

MY DEAR NORTON, — You will have returned from France by this time, I trust with an assurance of pleasant winter quarters. I wish I could look forward with certainty to being at Keston again before the 27th. You may be sure I will if I can. But I am 'sore let and hindered' in these last days from doing the things I should like best by the calls of the "Stump."

"Stump" we have already and "Caucus"[1] we must have soon or the Liberal party with its various sections will become an anarchy. We are afflicted with double candidatures to a terrible extent. The other party having, as the party of resistance, scarcely any sectional divisions and possessing the compactness of an oligarchy suffers scarcely at all from this source of weakness.

A "Whip" however would say that the elections are going well for the Liberals. In fact our chief "Whip" whenever I go to confer with him is pretty radiant. But to me it is sad to see how overwhelming the influence of wealth still is, and now the extension of the suffrage is nullified by the restriction of the voter's choice to candidates who can pay heavy election expenses.

The people are so much accustomed to have their expenses paid by the candidates, that they will not contribute a penny themselves. They think themselves extraordinarily virtuous if they do not hold out their hands for bribes. I assure you that, in addition to my work on the stump, this campaign will have cost me a sum of money which I could not very well afford; and a part of this will have been spent in very wealthy places.

On the whole I shall not be very sorry to leave English politics behind me. A Tory M. P. said the other day to a Liberal M. P. who is a friend of mine, "I prefer our scoundrel to your madman." No doubt Gladstone is impulsive, but on the present occasion his impulse, which we were rather disposed to check when he first manifested it, has proved to be that of a good tactician. He has given his party an excellent question to go to the country on, and there can scarcely be a doubt that in December he will turn the tables on

[1] See *New Historical Dictionary, sub verbo* "caucus," for an interesting note on the introduction of this word into England.

his enemies. The best part of his leadership however is the high tone which it gives to the democracy of the newly enfranchised working-men. It is impossible to estimate this advantage too highly.

Bright I fear is doing himself some harm by snubbing the working-men's candidates. His hold on the masses already is less strong than you might suppose. I believe its precarious character partly arises from his being one of the employer class.

If you wish particularly to see our mass meetings it would almost be worth your while to run down to the North, where Gladstone will be addressing his constituents on the 12th and some of the following days. The excitement I have no doubt will be immense.

I read the *Daily News* on Ezra [1] and thought your estimate of it just. The other day one of our squires came up to me and said that, hearing I was going to be connected with a model farm, he should be glad to give me a hint about the management of my liquid manure. Ezra will subside a little on that point and learn that he is called to diviner things.

White [2] has sent me some photographs, but they are only photographs of the scenery, not of Ezra or the College, nor even of the town, though one photograph gives just the skirt of it. There seem to be a great number of fine waterfalls, which I abhor.

With the perversity of the British nature I look forward every day with serener satisfaction to my residence and work in Tompkins County. I believe to make me change my mind by all the arguments that wisdom could urge now would be as difficult as to reason the ring off a bride's finger. Only my soul is heavy within me when I think of the Yankee bread. What creatures, to be filling the world with their seminal pistil ideas and not to be able to make decent bread!

I know, from your own lips, that you neglect the theological education of your children. The theological education of the children of this family is not neglected. The other day there was a rice pudding for dinner with some unusual kind of spice in it. One of the party remarked that it seemed nobody could tell what was in the rice pudding. "Yes," replied a little girl four years old, "Jesus Christ can tell." "Hush! you must not talk in that way." "Yes, but Jesus Christ *can* tell; for *all things were made by him, and without him was not any thing made that was made:* so he must have made the rice pudding; so he must be able to tell what is in it."

The same young lady having been duly taught the doctrine of the Trinity, but not understanding it quite so clearly as her seniors, lapsed into Arianism, in which, having a temper, she was rather

[1] Cornell, founder of Cornell University. [2] Andrew D. White.

inflexible. "The Holy Ghost is *not* God; he is NOT God; he is NOT God: you told me he was *Influence*."

Is there such a thing as a quiet hotel at New York? With best love to all the Rectory, Ever yours sincerely,

GOLDWIN SMITH.

I rejoice to hear that Eliot is better. Let him beware of lolly-pops. They are the bane of his race.

MORTIMER, READING, July 26, 1867.

MY DEAR NORTON, — It is indeed a long time since I wrote to you; but I often think of you, my heart often turns to Shady Hill and its inmates, and I long to be a guest again under that kind roof. And so, some of these days, I steadfastly hope to be. But at present, far from being able to cross the Atlantic, I scarcely venture to pass a night away from this place. My Father remains and is likely long to remain in pretty much the same state. There is little difference of opinion among the eminent physicians who have seen him as to the fact that the malady has its seat in the brain; more they cannot tell, and after trying various drugs, they have virtually abandoned the hope of a cure. As I think I told you, the malady is intermittent and attended during the fits with derangement of mind. So that, my step-mother being crippled by rheumatic gout, and there being no other member of the family who can take my place, my constant presence here is indispensable.

This [is] a very rural spot, eight miles from the nearest town — further than I am now able to ride — a proof of my diminished strength, for a few years ago I could ride after foxhounds all day without fatigue. It is a pleasant country and this house itself is pleasant, but the only society is that of a few squires, with whom I take care to keep on good terms, but with whom I have of course little in common, and who probably regard me in their hearts as a very subtle and noxious kind of poacher. The nature of my Father's malady prevents our having any visitors in the house; and my Father and his wife pass half their time in their own room; so that my life is very solitary. I have however got my books, and my pen ought to be active. But somehow I have never found solitude favourable to industry. I want the prospective reward of a social evening to carry me through a laborious morning. And moreover, though I have nothing particular the matter with me, so far as I know, my physical energy does not return. It does not return in spite of early hours, regular rides, and a very animal existence. My article for the *North American* is, I am sorry to say, not the only thing in arrear. The only thing I have done in the literary way

for some months past is the publication of some lectures which I delivered in the winter for the fund of the Jamaica Committee, and of which I have sent you a copy.

One lively though mute companion I have in a very handsome dog which I found chained up and passing his life very miserably under the dire suspicion of a tendency to poaching. I have ventured to set him free, and he now accompanies me in my rides, leads a new life, and overwhelms me with his gratitude.

I read the Boston *Advertiser* and the *Nation* which some kind hand (is it yours?) sends me regularly; but I am glad to have your more private and authentic account of what is going on in my second country. The only thing which seems to me to portend peril is the management of the finances. There is evidently great extravagance and a most insane delusion on the fatal subject of paper currency. As to Protection, I think it cannot be very long-lived. So practical a people must soon apprehend the fact that they would raise their revenue from import duties fifty per cent at least, and at the same time afford great relief to the consumer by substituting a revenue for a protective tariff.

Your industrial disputes and difficulties are being worked by the enemies of the artisan class here. But it is evident to me that from the comparative faintness of the distinction between classes among you, these struggles are not really so bitter or so dangerous as they are with us. The fact is that a new era is opening in the Industrial history of the whole world — stormily as new eras always do. As hired labour isolated and exposed to unlimited competition, succeeded to the serfdom of the Middle Ages, so this in its turn is going to give place to coöperation. The great laws of Political Economy are not going to be subverted, but the science is going to receive an extension and to produce a rational organization of labour in place of the irrational organization and the Protection which it has overthrown.

I do however seriously fear a crash in your currency, the derangement of which has, in part, a good deal to do with the present frequency of strikes.

The Tories have carried their Reform Bill. I suppose you see their game. Bright wished to enfranchise all the educated part of the working classes at once, and after a time, when popular education had been extended, to enfranchise the rest. But this would not have suited Toryism. So the Tories have gone at once to household suffrage and their hope is that they may overwhelm the more enlightened artisans by the help of a rabble which they reckon on leading by intimidation and corruption. Thus we are threatened (I am afraid it would be rash to say that we are not seriously threat-

ened) with the rule of a combined oligarchy and rabble analogous to your Democratic party. The disclosure of *rottenness* in our House of Commons has been truly terrible, and most ominous for the future of the Country. Bright, thank Heaven, has behaved most nobly, and we have more reason to be proud of him than ever.

I am going to give letters of introduction to you to Macmillan, one of our great publishers and a very nice fellow, and to Lord and Lady Amberley, whom I am sure you will like. Lord Amberley, as you know is the son and heir of Lord Russell. His wife is the daughter of Lord Stanley of Alderley, and a very pleasant and lively little woman. With best love to all your party, Ever yours sincerely,

GOLDWIN SMITH.

BROOKLYN, Monday, Nov. 9, 1868.

MY DEAR NORTON, — I am afraid this will find you still detained by your illness at Keston, though I trust, long ere this, Mrs. Norton's cause for anxiety will be past. Her letter was the last thing put into my hands in England, and I felt most grateful to her for it.

I had a bad passage, with head winds almost the whole way, and suffered accordingly like a land-lubber as I am. But being on the saloon deck, I had my port open a great part of the time, and did not suffer from suffocation as well as sickness, as I do in the bowels of a Cunarder. And then there was no Judkins to kick me with his sea-boots. Seriously, I am afraid it is an unpatriotic sentiment, but the people I like least to be amongst, when I am down, are the upper class of my own countrymen. I was the only Englishman on board; but there were some pleasant Americans whose society was cheering in the intervals of sea-sickness.

The German boats are German: they are not so clean as the Cunarders, and there is evidently nothing like such strict discipline, and therefore I suppose not the same safety; but in point of general comfort, I think they deserve your attention. The position of the cabins on the saloon deck, where you can have the port open, is an immense advantage.

The last time I landed in America, the first news which greeted me was the fall of Atlanta: this time it was the election of Grant. I hear he bears his victory with his usual modesty and refuses all ovations. I hope and believe that he will rule this country well. It seems to me that the Democratic party can hardly hold together any longer on the Slavery and Secession platform. If it will reorganize itself on a Free Trade and Financial Reform Platform it may yet do some good in the world. But it is hard

to believe that any good can come out of the Democracy of New York.

I go on this evening by the Erie Railway to Ithaca, and as about one train in every three on the average arrives at its destination safely on that line, and seven out of the last ten have smashed, there is a fair chance of my being at Cornell College to-morrow morning. White is overworked and unwell and I believe might be glad of any little assistance I can give him. Matters are still in an unfinished state, and I dare say as Mrs. Norton says we shall be rather barbarous as regards creature comforts; but depend upon it I shall manage to live, and all I hear increases my interest in Cornell and his enterprise. He is at present in some difficulties, as I think, I gather, from taking boys who have vague aspirations after knowledge, but who, never having gone through the middle grade of education, and hardly the primary grade, are of course unfit for the higher. This a little experience will probably teach him; and then will come the time, if my old world training is good for anything, for rendering him such service as is in my power. I trust White is not going to break down.

I accepted the invitation of the gentleman[1] with whom I am staying, and who is a writer in the *Tribune* and like his chief a good friend of Cornell, in preference to other offers of hospitality which presented themselves at my landing with more than American kindness, partly because I wished for two days' thorough rest, partly because if I had been in New York itself, I could hardly have avoided a reception at the Union League; and, though my heart is still in the same place, I feel that absolute political neutrality is essential to my position here. But in the winter I hope to get back here for a week, and to see Godkin and George Curtis, to both of whom I am drawn as strongly as you could desire.

The current of political strife must now be beginning to boil and eddy round you in England as it draws nearer to the elections. I am not sorry to be out of it, and to be connected again, though slightly, with the work which will go on when all these parties are numbered with the past.

When I am strong enough to speak for an hour I shall probably give a sort of inaugural lecture at Ithaca; but I am in no hurry to begin my course. Agassiz is lecturing at present.

My best love to all your party. Ever yours most affectionately,

GOLDWIN SMITH.

[1] The description fits Thomas N. Rooker, who aided Greeley in getting out the first issue of the New York *Tribune* and held some position on the paper until his death.

ITHACA, March 10, 1869.

MY DEAR NORTON, — Your report of Fishmonger's Hall and of the Government generally coincides only too exactly with my own misgivings. Bright however will subside. He is pleased, if I mistake not, with his position and touched by Royalty, which touched even Cromwell: he will learn to be discreet and a Minister. At the same time he will probably lose his influence — which for some reason, perhaps because he was an employer never was *very* great — over the working men.

The working men will then be without a leader. Mill has their respect, but he has never quite found his way to their hearts; and for reasons to me inscrutable he has planted himself in dogged opposition to the Ballot, which to the working men and all their class is a matter of political life or death.

As to Gladstone, I have seen too much of him not to be aware that he is no Hercules. But he is pure, he has a strong sense of justice (let us never forget what his worldly-wise friends thought of his Italian escapade), he is a really vigorous economical reformer, he is serious and makes other people serious: government is not with him a game at chess or a harlequinade. His was the best figure on the whole to which you could turn the eyes of the newly enfranchised working-men.

Lowe will very likely give trouble. His appointment,[1] after his treachery — for it was not only secession but treachery — was an ignominious necessity, if it was a necessity at all. I would have turned him out neck and crop without compunction or fear. His intellect is high of its type, but the type is not high. He is thoroughly selfish and unscrupulously ambitious. Treachery and cabal have marked his whole career; and what you saw in his face at Fishmonger's Hall was probably the dawn of some conspiracy against his chief.

Of course a Ministry swarming with aristocrats cannot go far. Aristocracy is a personal as well as a political weakness of our chief. But with such a Parliament as money sent him, what could he have done?

Hankering after clerical support is another of his weaknesses. It comes out, among other failings, in his pamphlet on the Irish Church. Fortunately at this moment the Ritualists, who are his particular Delilahs, are rather in Free Church mood. But their influence keeps him and always will keep him personally estranged

[1] As Chancellor of the Exchequer in December, 1868. His conduct on the Reform Bill of 1866 had raised enemies, but he later confessed that he had himself "been deceived and betrayed."

from those by cordial union with whom alone he could do great things.

The clergy in the late elections did their worst. They banded themselves everywhere with landlord coercion and corruption, for a caste purpose, against the vital interests of the nation. A firm ruler would now say to them, 'There are great social dangers and problems to be dealt with: you cannot be allowed interminably to stop the way. You must choose whether you will have the Irish Church disestablished with regard for vested interests or without.' My belief is that if this language was held to them by a strong man with the nation at his back, in twenty-four hours there would be nothing left but work for actuaries and legal draughtsmen. But the leader of a plutocratic House of Commons has to begin with an assurance that nothing shall in any case be done which can touch one fibre of anything that anybody can call property: and this of course is a license to the clergy to hold out as long as they can and by any means in their power. I should not be surprised by a very weak result.

I am glad I am only a spectator; and with a safe conscience; for, as I said before, it is clear that I should have missed my election.

Grant's Inauguration Speech buries Repudiation; and now I hope we shall have honest conversion of the debt and reduced taxes. In other respects our Deliverer has, I fear, made a bad start. His address is not only ill written but much of it is weak: here and there, as in the "strong box" passage, it verges upon something below weakness. I began at last to smell an infirmity in his ostentation of reticence and secrecy.

Surely it is not self-reliance, but want of self-reliance, if anything, that makes a man who has an important public document to write, and knows he can hardly express himself grammatically, shrink from submitting his draught to some private friend for literary revision.

The illegal appointment of Stewart[1] was unlucky: the attempt to get a dispensation still more so. Nor can I believe that independently of the legal objection, Stewart was well chosen. I have not seen much of him; but I am greatly mistaken if he is not a man whose success is due to the smallest mercantile qualities, not to anything that would make him a great finance minister.

The other appointments seem to create no enthusiasm. From what I saw of Judge Hoar[2] I should say (but it is a mere impression) that he was a very good man. Unluckily in the reconstruction

[1] Alexander Turney Stewart (1803–1876).
[2] Ebenezer Rockwood Hoar (1816–1895).

entailed by Stewart's withdrawal he seems likely to be eliminated in deference to the geographical superstition.

Major Whittlesey[1] the head of our military department, is a personal friend of Grant and himself a neutral in politics. His picture of Grant does not raise my hopes. However the American buggy gets through sloughs in which the state coach of a European Monarchy would stick fast.

Grant will now, I suppose, be thrown back upon the politicians of the party, of whom he aspired to be independent. One danger at all events, which I think had just begun to loom — that of his playing Jupiter after the fashion of the deceased Andrew — is henceforth to be feared no more. If he had any old Democratic leanings, the language of the Democratic organs during the last week must have knocked them out of him. With the Republican party he must live or die.

The Copper Tariff, as it is the most extreme, so I think it will be the last outrage of the Tariff Ring. I understand that it was felt to be so suicidal that some of the Democrats withdrew from the House to let it pass over the Veto. Protection will now begin to go down hill. But will it not carry the Republican party with it?

I went the other day to Albany, read a paper on University Education to the Social Science Association[2] and spent a few mornings in the Legislature. The tone is not high: once or twice a decidedly low tone came out: but there was no rowdyism: not much time was wasted in talk; and though they would be the better for a little more red-tape, a stricter enforcement of the standing orders and less facility of adjournment, the business seemed to me on the whole well done. It is difficult to get at facts about corruption: but doubtless corruption there is: everybody says there was bribery the other day in the election of the Senator. Strange to say however, Morton [Morgan?] who lost is a man of great wealth: Fenton who won a man of moderate fortune.[3]

Politics here whatever else they may be, are coarse; and passion always takes the form of charges of corruption. Therefore I do not pay much attention to anything not substantiated by specific facts.

A little storm (between ourselves) has passed over Cornell. Its origin, the imperial tendency of the American Eagle to set his institutions running on the most magnificent scale before he is quite fixed up. Our money is invested in pine lands, which in a few years will be valuable and make us rich. Meantime we are poor. But we

[1] Joseph Hotchkiss Whittlesey (1821–1886), who held this professorship in 1868–1870.

[2] *Annual, American Social Science Association*, 1.

[3] Fenton succeeded Edwin D. Morgan in the Senate.

have opened all the departments as though we were in possession of our wealth. The Professors are necessarily underpaid. They remonstrate, and I fear are not yet quite satisfied as to their future prospects. Their discontent, and that of their wives, was somewhat aggravated by the mismanagement of this boarding-house, in which, for want of house accommodation, they are compelled to live. And certainly the cuisine is unspeakable. I have been obliged to take to boarding partly down town at the hotel. To eat greasy leather is difficult; to digest it with a mere British stomach is impossible. I am not furnished by nature like an American gentleman who sat next me the other day at the hotel at Port Jervis and who cut a beefsteak on which my knife would scarcely make any impression into pieces which he then swallowed, literally, as if they had been so many oysters.

On the other hand Mr. McGraw,[1] a lumber merchant, a very plain man, living in a small house and in the simplest way, has just given us fifty thousand dollars to build a library. His wife and daughter have also given handsome presents. There is no such public spirit as that of Cornell and McGraw among the same class of men in the old world. Their aspirations are diverted to baronetcies and tinsel.

White is amiably but unluckily anxious to prevent my seeing the less bright side of things. It is therefore very difficult for me to advise him or even to talk to him upon these subjects. So far as I can, I try to keep him from spending more money in flashy public lectures (of which we have far too many already) and other unsubstantial things, and to get him to turn all his resources, limited as they are, to the provision of means for hard work. I plead however for a little beauty, if it can be had cheap, in the buildings, which are in danger of being very hideous. I believe I have also done something towards averting, for the present, female students, a crotchet of Horace Greeley, who was driving us in that direction apace. All this of course entirely between ourselves.

Curtis and Lowell come to lecture next term. I regard their arrival socially with unmixed pleasure; academically with mixed feelings. They will both be most brilliant I have no doubt: and the more brilliant they are, the less inclined our boys will be after hearing them to go back to the hard work by which alone any solid results can be attained. Their names throw a false halo round us which in the end does no good to anybody or anything. I have come to think thus by experience of our peculiar defects and weaknesses; and I dare say you will understand me though you may not agree

[1] John McGraw (1815–1877).

with me. The lesson of thorough hard study is the one which these people have to learn.

They will listen to Curtis, Lowell, and Dwight [1] generalizing on their respective subjects, without knowing any of the facts on which the generalizations are based, and go away fancying themselves on a level with the most advanced thought of the age.

I am happy to say the standard at entrance is being raised — an improvement for which we cannot be too thankful.

The high opinion which I formed of our staff of resident professors remains unshaken. I only trust their position may be made what it ought to be and that we may retain not only their services but their devotion. Major Whittlesey I fear is not likely to stay. His military good sense and powers of management have been of the greatest value amidst early difficulties and his departure will be a serious loss.

I am so glad that the English climate has been kind to you. Your picture of the primroses and snowdrops made me feel a little homesick. The American winter has done me no harm, but it beginneth to be a bore unto me. Snow, snow, snow for three long months, and all that time scarcely a glimpse of the sunshine; for round these hills there gathers, I suppose from the Lakes, a mass of cloud through which the sun seldom breaks. I really do not think we have had a week in the aggregate of bright weather since the middle of November when I arrived here. Now, we are alternate frost and slush: in time, I suppose we shall settle into slush, and then pass into summer, which ought to be pleasant here. I shall not visit England before the autumn; but I shall probably come then and stay till the spring. Health and happiness to you all. Ever yours sincerely,

GOLDWIN SMITH.

P.S. I cannot say that I deplore the failure of the *Alabama* negotiations. My resentment against the English Aristocracy and Plutocracy is as deeply seated as that of any American, and I do not think that a money fine levied on the whole English nation, much less a war waged against the whole English nation and the sufferings of which would fall mainly on the innocent masses, would satisfy the ends of justice. The ends of justice will be best satisfied by the victory of the English people in the coming struggle over the Aristocracy and Plutocracy, to which the American people may materially — there is no saying to what extent — contribute.

I should have explained that my intended visit to England in the autumn will be in fulfilment of a promise to my step-mother: it is

[1] Theodore William Dwight, non-resident professor of American Constitutional Law, 1869–1877.

not that I am afraid of another American winter. I really have suffered less from cold here than I used to do in England.

The last news from Washington rather revives my hopes of Grant. He seems to be making good appointments. I like also his cancelling one of the late Scoundrel's pardons.

Prof. A. Gurney has tolled to you, of course, as well as to me the knell of the *North American*. Killed, no doubt, by the piratical republication of the English reviews. American literature pays dear for the gains of the great pirate houses of New York. Nothing left one now but the Magazines, where one is padding for scallawags like Charles Reade.

G. S.

SPENCER SPRINGS, N. Y., August 30, 1869.

MY DEAR NORTON, — I have long had your last letter and Mrs. Norton's on my conscience; but I have been so languid that every thing but the day's work has been put off to to-morrow, and all my correspondence is in arrear.

Your illness in the autumn turned out as I expected, a success. It would have been a thousand pities if you had missed the winter in England. You have now seen our political life thoroughly and will be able to guide the judgment of your countrymen, and I hope their feelings a little too, when you return to this country. Besides this, both you and Mrs. Norton seem to have enjoyed yourselves, and you have certainly made as strong an impression as it was possible to make on the rather hard though bright mind of London.

You are now I trust spending an equally pleasant summer at Vevey. I have spent many happy months in Switzerland with my knapsack. The last time I was at Vevey I had come down from the Dent de Jaman drenched by a thunder storm between the Jura and the Alps which fully realized the passage in Childe Harold.

Ithaca, even the hill on which we live, is rather sultry, though otherwise delightful in summer, and I have come to this little watering place among the hills for fresher air. Our company consists mainly of middle class people from three or four neighbouring towns. In manners and conversation I should say they are decidedly above the same class in England. We live together very sociably and very simply: no attempt at finery. I pick up a good deal from this free intercourse with people whom I might not otherwise see.

Yesterday I was at a Methodist Camp Meeting. The Methodist Church besides its general power and importance is specially interesting at this moment because it seems about to wrestle with R. Catholicism for the ignorant masses and particularly the enfranchised blacks. The camp meeting was in a grove at Spencer, the

neighbouring village. About 6000 or 7000 people were there. The "Conversions" were not very numerous. That element seems to have fallen into a secondary place, the meeting being now primarily a reunion of the members of the Church in the district — half festive, half religious. Some funny things were said, of course. In a sermon on faith the people were told to trust God about things unseen as they had trusted the *Tribune* in voting for General Grant. They were promised that if they were good they should be stars in Heaven and be observed by astronomers there, etc. There was some very wild and almost orgiastic praying going on in some of the tents, but nothing very offensive reached my ear in the public services. Perhaps the worst was a very broad exhortation to pretty girls to come to the altar and draw their admirers after them. There was a hollowness about the conversion part of the business and the manner of the ministers urging the people to come up and be saved reminded me very much of a showman wheedling the crowd into a show at a fair. But nothing could spoil "Rock of Ages" sung by a multitude at night in a grove lighted up with fires of pine. Loyola has nothing so good as that, and though he is not trammelled with the doctrine of sudden conversion he has other things which are as bad for him in an educated country. Against *him* at all events we may wish Wesley God speed.

What an organizing genius Wesley had! I fear Democracy is going to mar his work just at this crisis by forcing upon it Lay Delegation.

One of my last experiences is Saratoga, where I passed a day — one day was enough. Oh the Shoddy and the Petroleum! When vulgar wealth does display itself in this country, it whips creation. I was amused among other things with the cockades in the servants' hats, evidently borrowed from England, where the ornament denotes that the Master is an officer in the army; so that to an English eye, the hats might as well be decorated with the order of the Garter.

Fourteen English artisans with their families have come to Ithaca and are engaged partly on the University buildings, and partly on the *Palazzo Cornell*. They tell me that the wood work in the University Buildings would not be passed for the commonest labourer's cottage in England; and the stone work is if possible worse. One of them said something on the subject to the superintendent of the works, and the answer was "If you are going to live in this country, you must learn to get along: what they want here is not quality but quantity." I found that the wood on which the men were working was unseasoned. They told me their labour was wasted on it. I mentioned it to Mr. Cornell. "Well," he said, "I guess we do

use our timber rather greener than you." "But it will start." "Well, I guess it does start some." If your people do not take care they will have a real decadence of industrial skill. The Englishmen who are themselves approved masters of their trades, tell me that the American workmen do not know common things and that they work without proper drawings or method; such is certainly the case with the boarding house in which we live, which was evidently built without a working plan. I am afraid an immense amount of labour and of material too, especially timber, is being used up in work which will not last many years. This is not pioneering, but exhaustion.

It is not at Spencer Springs that one hears political secrets. Grant seems to have pretty well settled down into his place in public opinion as an honest and patriotic but commonplace man, out of his element in politics; the horse and cigar element pretty prominent in him. On the other hand the belief still prevails that he is very much under the influence of the Attorney General, in which case I think all will go well. Hamilton Fish too seems to hold his own. Your Government unconsciously appointed a Fenian as Consul at Glasgow; ours pointed out the fact, and the nomination was at once withdrawn in a very courteous way, in spite of the tirades of the *Tribune*.

Sumner is I think now generally discredited. But I can hardly hold with you that his speech [1] was no more than one of Roebuck's. He was the Chairman of the Committee of Foreign Relations. The Senate removed the seal of secrecy and allowed him to give publicly the reasons for the rejection of the Treaty. No other reasons were ever given. All the Senators who spoke supported Sumner; and Thayer,[2] who was present, has stated, in opposition to Grimes, who was not, that there was a general feeling that the speech expressed the views of the body. If such a thing as this is not serious, I think it ought to be so. And there can be no doubt as to the good effect which the serious reception of it in England produced here. The sounder sentiment of the people was at once manifested, the tone of the newspapers, which at first was insolent and aggressive to the last degree, was at once changed, and the language and policy of the Government were fixed on the side of moderation.

I only hope our Government will settle the matter with the American people before Congress meets and the politicians get to work again. The politicians want to keep the quarrel open for their own purposes. I detest the whole tribe, Republican and Democratic alike, more every day I spend here. Who can tolerate sanctimoni-

[1] On April 13, 1869, in Executive Session of the Senate, on the Johnson-Clarendon treaty. *Works*, XIII. 53.

[2] John M. Thayer, of Nebraska.

ous lectures on high morality from Mr. Sumner, who pushes the nominations of Ashley[1] and Sickles[2] and sits complacently with Fenton at his side?

The business men are I think generally anxious for a quiet settlement of the question, and their indirect influence on politics appears to be rather on the increase. I am afraid however that the influence of the Irish is increasing also.

The Democratic papers began to abuse me as soon as I landed. After my speech on the *Alabama* the whole press poured on me vituperation which was to the vituperation of English papers as the contents of a cesspool are to those of a gutter. In public matters, if I mistake not, this nation is the slave of its Press: no public man dares stand against the newspapers. But privately the attacks did me no sort of harm: it seemed to me on the contrary that people were kinder to me than ever. Even the newspapers have since grown rather civil again. Of course I take care to remain perfectly neutral in American politics. I never take part in anything that has the slightest political tinge and mind what I say even in private conversation.

I have reason to be grateful to Curtis, who said a kind word for me in season in Harper's at the time when all the other journals were abusing me.

The country has been in a state of preposterous excitement about the International Boat Race. As the result of the Heenan and Sayers prize fight saved you, perhaps, from being thoroughly inoculated with our prize-ring ruffianism, the result of this race may save you from being inoculated with our mania for athletics, which, as Grant Duff truly says, is fast becoming a national calamity. To judge by the language that was held, if the Harvards had won, you would have been in some danger of having one of them run for President. The *World* in a leading article on the race, in leaded type, said that it had overshadowed the *Alabama* wrong.

We have had some signal illustrations of the state of the Judiciary in connexion with the Erie and Susquehanna Railroad war. Judges were used on both sides as weapons. One judge is stated to have signed an order in the office of one of the parties without hearing the other side, and nobody seems to think the statement incredible. It is undoubted that the other day in New York a judge (Cardozo[3]

[1] James Monroe Ashley (1824–1896), recently appointed Governor of Montana. He had been Chairman of the Committee on Territories and was implicated in some dubious transactions with a land speculator named Case.

[2] Sickles was confirmed as United States Minister to Spain, May 15, 1869.

[3] Albert Cardozo, an Associate Justice of the General Term from December, 1870.

I think it was) requested his colleagues on the bench to make a writ of Habeas Corpus in the case of a person whom he had improperly committed, returnable before himself, and that his colleagues acceded to his request. This state of things cannot last; nor can the state of police under which Owego, a little town in this neighbourhood has been for some weeks in the hands of desperadoes who murder and rob pretty much at their pleasure, and make the streets unsafe after dark.

America has passed out of the phase in which it was observed by De Tocqueville, and the same institutions — the same administrative institutions, at least — will fit her no longer. The "Imperialist" is said to have a large circulation. If so, it is one of the signs of a growing sense of the necessity of administrative change.

I hold that the British Provinces must soon become independent; but I should be sorry at present to see them merged in the States. They form a sort of reserve force which may retrieve some of the false steps of Democracy on this continent. In the Judiciary they are a hundred years ahead of most of the States.

Mrs. Norton speaks of a report that I am tired of Cornell and about to return to England. I do not know how it can have arisen, unless from a silly paragraph in the *Pall Mall*, which was copied by the *Times*, saying that I should be driven back to England by the abuse of the American Press. On the contrary, I have given up my plan of passing the winter in England, finding that no family duty will call me, and being glad to escape both the voyage and the unsettlement. Probably I shall avoid the winter dulness of Ithaca, which is rather depressing, by a visit to Canada, where a part of my family reside; that is, unless I find a warm climate necessary, which I hope I shall not.

Through a series of accidents, I have not yet had the *North American* in my hands long enough to read your article on English Pauperism. I shall get it on my return to Ithaca this evening. I am so glad that the N. A. is to live.

With best love to all your party, ever yours sincerely,

Goldwin Smith.

Ithaca, July 17, 1870.

My dear Norton, — When I was at Philadelphia in the winter, Field handed me a delightful letter from you, and I do not know what I deserve for not having written to you before.

I will now talk to you not about public affairs, of which you get better accounts than I can give you, but of Cornell University and its Professor of English History.

So far, and in essential respects, the University is flourishing.

Its numbers increase. The indications point to a freshman class of 350 next term, which, I fear, will exceed our teaching power. The 'religious' world has attacked us fiercely through all its Gospel Messengers and Trumpets of Sion; but the only effect has been to increase our popularity and to reveal the fact that the 'irreligious' interest in this country is increasing in strength. Your humble servant individually comes in for his share of compliments as a Rationalist; but as no harm is done to the University, none is done to me.

We have excellent material to work on. Our students, young farmers and mechanics for the most part, are rough outside and inside; but they have the root of the matter in them. They are, as a body, very industrious and self-denying and remarkably well behaved. We hardly ever hear a complaint of them in the town. Their manners also, though not polished, are essentially good. My intercourse with them is very pleasant to me, and increasingly so the more I see of them. I feel that altogether they are worthy of everything I can do for them. They take very kindly to history and do well in their examinations; and as many of them will probably push their way in the world I hope any historical wisdom or lessons of honour which they pick up will some day be useful to their nation.

My high opinion of our staff of Professors is also confirmed. It does the highest credit to White's judgment in selecting it. I do not think I ever had to do with a set of men whose character and ability I esteemed more highly. The only question is whether they can be held together. Three, and three of the most valuable, are leaving us at this moment.

Our Finances also, in spite of some present awkwardness, seem prosperous; and if the lands are tolerably well sold (as I think the business powers of Cornell and the Trustees guarantee that they will be) our endowment will be — not 21½ millions as Tom Hughes says in *Macmillan* — but enough, with wise management, to maintain a very noble institution. You know that we depend on our endowments, our tuition fees being nominal, and a large proportion of the students being exempt altogether. On the other hand there are difficulties and dangers, all flowing from the same source — the educational inexperience of the Founder and his leading associates among the Trustees. Cornell is by nature evidently somewhat self-confident and self-willed. He has been praised highly and with the greatest justice, for his munificence; and he not unpardonably takes the praise as extending to his wisdom in the management of his foundation.

Everybody advised him against the choice of this situation. White actually offered him half his fortune if he would go to Syracuse or one of the other cities. But I think it is in the *Promessi*

Sposi that somebody says that there is no pleasure so keen as that of being great in the place where you once were little; and this I suppose it was that made Cornell inflexible in his determination to have his College at Ithaca. We are completely cut off from conveniences, from society, from the intellectual world. This affects me little, because I can go away when I like and because I desire nothing more than a quiet corner with my books. But it will tell — it is already telling on the staff; though if you were to say so to Cornell, it would seem as strange to him as that the masons employed on the buildings should object to the locality so long as they get their wages. Besides this, the place from its vicinity to an extensive marsh is certainly unhealthy. The people are unwilling to admit this, but those who have resided here and gone away, including medical men, all say so; and it must be the fact. We had a severe epidemic in the winter, and a panic in consequence; and there is no remedy but by lowering the Lake, a costly operation, and one which it appears the State would not permit.

The University buildings stand apart on a high hill. Cornell has bought up all the land round them far and near, except the portion owned by the University itself, over which he has absolute control. He will let none of it go out of his hands. Scarcely has leave been obtained for some of the professors to build on the University land. No boarding houses can be built for the students near the University. The greater part of them board down in the town, and have to climb the hill to their work, and as we cannot ask them to do this more than once a day, we can have no recitations after the dinner hour. Some are in this boarding house, which being under the control of Cornell himself, who has no time to attend to it, is left in bad hands and very ill managed. Some are in the dormitories and have to come over to this building, which is a third of a mile off, for their meals. The want of proper provision in the dormitories themselves not only for comfort but for cleanliness, and the absence of all needful appliances in case of sickness, are such as if I were responsible I could not tolerate for an hour. Cornell rules all and he does not know what is wanted. His buying up of the land round the buildings has given rise, I believe, to sinister reports. But I have no doubt that he means what is right and has some good object in view. If however he should die and the land should go to his heirs, we might be in a scrape. The State, as part founder, should have looked to all this, as well as to the choice of a situation.

Again, these people do not know how to treat Professors, nor the value of good ones. The Professors are sadly underpaid. It is true the revenues at present are limited; but then they should have commenced with a smaller staff and a limited number of students

instead of being ambitious as they are to show as large a list as possible; and at all events they should meet the representations of the professors, who have not enough to live on, with more consideration and less in the spirit of employers hiring mechanics, than I fear, from what I learn, they do. I reserve my little fund of influence for this point, and use it as well as I can.

But the worst of all is that we are made the *corpus vile* for experiments. Our system may be almost said to be a congeries of experiments, against which we are held up by our elements of strength and especially by the ability of the Faculty; and we think ourselves lucky in having escaped Horace Greeley's proposal of compulsory labour for all, including I believe the professors — to which, however, being fond of exercise I should personally have had no objection. Cornell intends, as soon as he gets some money, to employ it in setting up a chair manufactory, by way of an appendage to this seat of learning. However I hoped that all these fancies would in course of time be sloughed off or reduced to tolerable dimensions: but now comes one which if once introduced cannot be sloughed off, and which will totally alter the whole character of the institution. We had a visit some time ago from Miss Susan Anthony, who told Cornell, who presided at her meeting, that if he would have female students here "his anniversary would be regarded by posterity as equal to the Fourth of July or the Coming of Christ." It seems he has now made up his mind to respond to this appeal and to accept the donation of Mr. Sage,[1] a philanthropic lumber-merchant who offers a handsome sum for the erection of a female dormitory. All the experience of Oberlin and similar institutions seems to prove that they do not rise above the third rank in point of scholarship, and that the result of the system is a fatal relaxation of the student's energy, not to mention any objections there may be of a deeper kind. The opinion on the subject is such that I do not believe that a good staff of professors could be held together if we were turned into an Oberlin. Our faculty is almost unanimously opposed to the measure, but it seems to be taken for granted that no notice would be taken of their objection.

If the President could have his own way all would go well. But he is not strong enough — not strong enough physically — to get his own way against a taciturn, resolute man like Cornell, whose ignorance of the subject quenches the lightnings of the gods. There are no limits to White's self-sacrifice; but if instead of offering Cornell half his fortune to go elsewhere he had firmly refused to come here, he would, besides saving himself a strain which has half killed him,

[1] Henry Williams Sage (1814–1897).

have probably done the greatest service to Cornell and his foundation.

I hope some Power of Good will intervene. I am very much attached to these students — as attached as ever I was to my Oxford pupils. I like my colleagues. I respect Cornell's character and munificence as much as ever, and feel as strongly as ever that my life is well spent in aiding his enterprise. The people in Ithaca are as kind as possible. I do not know what I should do if I were set adrift again, for at my age the possibilities of life close in. But I do not think I could be a professor in an Oberlin. This place unluckily does not agree with me very well. It was the effect of malaria, as much as cold, that sent me to Philadelphia, and my medical man even tells me that I must not think of living here regularly. But I am going to try a change of boarding-place to the house of one of our Professors, who is going to build and will set apart two rooms for me; and so far as health goes, I shall fight it out, if possible, on this line.

What waste of resources and feebleness of result are caused by this system of scattering the Colleges! If all the Colleges in this State were brought together and federated into a University like the Colleges of Oxford they might be a great institution. They might maintain a common staff of higher teachers, libraries, laboratories, etc; and they might have an impartial board to hold examinations and confer degrees which would then be worth something. The religious difficulty would be solved by an undenominational University with Colleges as sectarian as they pleased. The greatness of the institution would raise the social position of learned and scientific men. I preach this whenever I have a fair chance; but local prejudice is very strong and very ignorant. Still as the best men see the truth, something may be done some day.

I hear you have another little daughter. May the world into which she has come smile on her, for her parents' sake and her own!

Your account of your residence at Florence is charming. Perhaps if Cornell insists on upsetting itself, and I have no more ties of any other kind than I have now, you may see me there yet before your departure, though Madeira is the *sedes senectæ* to which my fancy points.

I hope you are all well: my best love to you all. Yours affectionately,

GOLDWIN SMITH.

TORONTO, CANADA, Sep. 9, 1872.

MY DEAR NORTON, — I have little doubt that you are right in surmising that a letter has gone astray. I directed to the place

from which you had last written to me, and was afterwards told that I had done wrong and that I ought to have directed to Barings. There was nothing of consequence in the letter, nor could it, if opened by a foreign postmaster, reveal secrets of any kind to his eye; but I am sorry that its non-arrival should have produced an appearance of neglect.

The letter which I received from you yesterday quite overwhelms me. I misinterpreted expressions in letters from the Fields which they no doubt supposed I should read by the light of other information; and it is now that I learn for the first time the death of your wife.

No calamity outside my own family, or perhaps in it, could have affected me more deeply. I feel for you and all those on whom this loss has fallen with all my heart, and shall myself always cherish with affectionate regret the memory of my friendship with one of the most beautiful characters I ever knew.

I hardly like to mix any other subjects with this. But I do not think you need be so much cast down about the state and prospects of your own country, or look forward on that account, with any but pleasant feelings to your return. The miscarriage of the Reform Movement at Cincinnati was no doubt a great disaster. The aspect of this contest for the Presidency is anything but edifying or encouraging; and generally there is gloom on the political world. But the good and strong qualities of the people remain, and will in the end repair the mischief done by the roguery of the politicians.

I was quite prepared in coming to America for a certain relaxation of moral effort after the high tension of the War. Beyond this I do not perceive any decline except that which everywhere attends the slack tide between the ebb of the old motive power and the flow of the new.

The conduct of the government about the Indirect Claims deeply disgusted me, as it did all the Englishmen who had taken the Northern side in the war; and generally an Englishman cannot help being hurt by the Anti-British feeling which shows itself on all occasions and which is perfectly indiscriminate, or rather seems perversely to fix on those who have deserved it least, while the hypocritical advances of the Tory aristocracy are a little too well received. But apart from this, my feeling after four years residence among your people is not one of disappointment at all.

I am living here with the Canadian members of my family who give me a very pleasant and affectionate home. But I keep my professorship at Cornell, and go there to give my annual course.

The death of my step-mother has broken the last link which connected me with England, and I do not suppose I shall ever cross the

Atlantic again. I do not wish to undergo twice the wrench of leave-taking; and the tendency of things there, socially and politically, is what I do not wish to see, as I can do nothing to help the better cause.

The ascendency of wealth is dragging us all back to barbarism; and it is worse in England than in America, because in England the peerage consecrates wealth and gives it moral prestige. Strange as it may seem however the mischievous influence of our aristocracy is not unfelt among your people.

The postponement of your return is a disappointment to me as well as to yourself: but we shall meet in the summer.

My kindest regards and most affectionate sympathy to all your family. Ever yours sincerely,

GOLDWIN SMITH.

INSTITUTE OF HISTORICAL RESEARCH

MHS

Yours very truly

Chas Gross

MEMOIR

OF

CHARLES GROSS.

By CHARLES H. HASKINS.

CHARLES GROSS was born in Troy, New York, February 10, 1857, the son of Louis and Lottie (Wolf) Gross, and died in Cambridge, December 3, 1909. He was prepared for college at the Troy High School, where he led his class, and he maintained the same rank at Williams College, from which he graduated in 1878. After a short period of teaching in Troy he went abroad for travel and study, first at the universities of Leipzig, Berlin, Paris, and Göttingen, later in the libraries and archives of England. He received the degree of Ph.D. from Göttingen in 1883, the honorary degrees of A.M. from Harvard in 1901 and LL.D. from Williams in 1904. In 1888 he came to Harvard as instructor in history, and was advanced to an assistant professorship in 1892 and in 1901 to a professorship of history — after 1908 with the title of Gurney professor of history and political science. He became a Member of the Massachusetts Historical Society in 1901; he also served as vice-president of the American Jewish Historical Society and was a corresponding member of the Royal Historical Society.

Throughout his life Gross was a tireless seeker after knowledge. He had a remarkable power of intense and sustained work, and he never spared himself. His love of study for its own sake appeared in his college years, when his room-mate regularly left him at his desk at night and found him there in the morning. His interest in history likewise declared itself at college, and after he had laid his foundations under such European masters as Pauli, Bresslau, and Monod, he devoted himself single-heartedly to the advancement of historical learning by research and teaching. As the field of his

special interests he early selected the history of English institutions in the Middle Ages, and like his friend Liebermann, also a pupil of Pauli, he brought the critical and systematic methods of continental scholarship to bear upon the vast and comparatively unexplored resources of the English records. He had the advantage of some years of work in the British Museum and Public Record Office before he took up academic duties in America, and he used every subsequent opportunity to return to these hunting-grounds, as well as to utilize the valuable collection of books which he gathered about himself in the Harvard library. He avoided no subject because of its difficulty or obscurity, and shrank from no labor which his investigations might demand, so that his works are models of thoroughness and accuracy; but he also brought to his studies qualities of insight, balance, and perfect lucidity of thought and statement which made him an acknowledged master in his profession. Among English historians he chiefly admired Maitland, most of all for the flashes of intuition and inspiration which he found wanting in himself; but if he lacked something of Maitland's brilliancy, he was not inferior in the sureness of his judgment or the solidity of his learning.

The promise of noteworthy achievement was shown in Gross's first piece of historical work, his doctoral dissertation entitled *Gilda Mercatoria*, which riddled prevailing theories and placed the history of English gilds upon a new foundation of established fact. After prolonged research in local records this was enlarged into his *Gild Merchant*, published in 1890, and still the standard authority upon the subject. A *Bibliography of British Municipal History* followed in 1897, preliminary to a comprehensive work on English municipal institutions, which never advanced beyond a series of articles on special aspects of the subject. Although not a lawyer and modestly disclaiming acquaintance with the law, Gross contributed two important volumes to the legal records published by the Selden Society — *Select Cases from the Coroners' Rolls* (1896) and *Select Cases concerning the Law Merchant* (1908) — both accompanied by historical introductions of much value. Significant brief contributions dealt with such topics as the Exchequer of the Jews, the jurisdiction of the Court of Exchequer, the law of intestacy, and the early history of the

ballot. His best-known work is *The Sources and Literature of English History from the Earliest Times to about* 1485, which appeared in 1900, and at once took rank as an indispensable instrument of investigation and an unsurpassed example of bibliographical workmanship. It became the model of the bibliography of the modern period undertaken coöperatively by the Royal Historical Society and the American Historical Association, which are attempting by the joint efforts of several scholars what Gross accomplished for his field unaided and alone. It was entirely characteristic of its author that he should have devoted to lightening the labors of others long years which he was free to give to his own more special studies; and only those who followed the progress of his work can appreciate the thorough preparation that went into its brief and meaty comments, and the months of drudgery spent in verification and in going through masses of material in which he had no personal interest. A labor which sometimes taxed the patience of the administration of the British Museum never exceeded his powers. The later months of his life were occupied with the preparation of a new edition, which has been completed and published (1915), with the coöperation of his family, under the direction of a committee of his Harvard colleagues.

As a teacher Gross showed the same qualities of clearness, thoroughness, and sanity which appeared in his books. He lectured in a high voice with much emphatic repetition, and his manner and the subjects of his courses appealed rather to the advanced than to the elementary student, but he attracted undergraduates who looked forward to law as well as those who were to continue the study of history. While he also gave instruction in the history of France and of municipal institutions in the Middle Ages, his favorite course was History 9, the constitutional history of England to the sixteenth century. Expounding with great care the "Select Charters" of Stubbs, he summed up with admirable judgment and precision the chief problems of early English institutions in a way that made a profound impression upon his students and held before them the highest ideals of historical scholarship. His methods of work were instilled even more completely into the small number of those

whom he directed in special problems of investigation, which he selected with much skill and discernment and which generally led the young investigators to follow up their researches in England. To these he gave of his time and learning with the greatest freedom, and his weekly conferences were occasions for searching yet kindly criticism. He can hardly be said to have founded a school, yet by their teaching and publications in European history his pupils have made perhaps the largest contribution of any single group of American scholars to that field, as may be seen from such names as Colby of McGill, Cross of Michigan, Gray of Bryn Mawr, Hemmeon of Nova Scotia, Lapsley of Trinity College, Cambridge, Lunt of Cornell, McIlwain of Harvard, Morris of California, Perkins of Ohio State University, Sullivan and Wolfson of New York, Trenholme of Missouri, and Wells, formerly of the University of Minnesota. His influence also extended beyond his classroom to men like Baldwin of Vassar, whose elaborate work on the king's council owed its inception to Gross. Though he never taught modern history, men like H. Nelson Gay and the late William Garrott Brown freely acknowledged their indebtedness to his instruction. His mind was concrete rather than philosophic, and he had little interest in the history of ideas or of civilization, limitations which showed themselves less in the content of his instruction than in his obvious lack of real interest in subjects, such as Gothic architecture, which he explained with clearness and skill. The enthusiasm which students caught from him came partly from his deep interest in the history of institutions, partly from his obvious candor and love of truth and thoroughness. One of those who studied longest with him — Lapsley — writes:

> From this distance one looks back on Gross's training as primarily moral. I think it would have horrified him to hear it put so, for he took good care that one acquired certain information and certain indispensable proficiencies. But all that could have been obtained in other quarters, and one remembers him chiefly as letting in upon one with increasing intensity and explicitness the pressure of certain moral necessities. He required of himself and of others truth in the inward parts and was unmindful of praise or reputation. What he cared for was that the work would be done, not who should have the credit of doing it.

Save for his constant attendance at college baseball games, Gross did not evince interest in the ordinary forms of undergraduate activity, but he had a deep and abiding affection for the university of his adoption. He took an active part in the administrative work of Harvard, serving on the administrative board of the College and on numerous committees, and acting for nine years as chairman of the department of history and government. He was active in the establishment of the *American Historical Review* and of the *Harvard Historical Studies*, assisting in the publication of the first fourteen volumes of the Harvard series and giving the last hours of his working life to revising the proofs of the book of his pupil Morris on "The Frankpledge." In the Harvard Library, where so much of his time was spent, he is commemorated by a special fund for the purchase of books concerning English history.

Outside of academic walls Gross's life was the patient, uneventful life of the scholar. He cared little for general travel, and did not return to the continent till shortly before his death, when he visited Normandy and spent some weeks in Spain and Sicily. So far as possible he gave his vacations to work in London, where he also passed two sabbatical years. He regularly took lodgings in the neighborhood of the Public Record Office or the British Museum, and his long sojourns made him a familiar figure in Bloomsbury. To many of his friends he is associated most closely with the precincts of the Museum. W. J. Ashley, who had known him in the Göttingen days and was for many years his colleague at Harvard, writes of their last meeting: "It is not of American sunshine, but of a gray day in London that I think when I recall that steady, quiet, unemotional, solitary, purposeful worker — *ohne Hast, ohne Rast.*" Gross knew his London as do few Americans, and was delighted to show its historic spots to friends or pupils. He had few distractions beyond a dinner at some quiet restaurant, coffee at intervals in the day somewhere near his work, and long walks about the streets after hours. His professional associations, too, were with the scholars of London and those who frequented its libraries and archives rather than with Oxford or Cambridge dons. Hubert Hall, who was probably closer to Gross than was anyone else in London, writes of their friendship:

I do not remember exactly how this bond of sympathy was shaped or when it was perfected, but since the year 1892, or thereabouts, I have been accustomed to rely upon his knowledge of certain aspects of medieval history very much as I would rely upon the Records themselves. Further than this, I have been accustomed to rely upon his judgment of historical values as I would rely upon that of my own banker or broker in mundane affairs. But it was not the play of human emotion nor the display of intellectual strength that gave to myself and, I am sure, to many others, this feeling of security in his historical coöperation. I think that it was rather the perception of strength reserved and the consciousness that it could be applied when necessary with the force and precision of hydraulic power! This impression accords with my experience of Gross as a correspondent and as a companion. His letters were for the most part extremely brief and laconic; but every sentence was weighed and every sentiment was measured. Equally characteristic was his conversation. He would sit unmoved, smoking sedately, while men talked at random on subjects that he alone, perhaps, knew how to deal with adequately. When appealed to, he would deliver himself, in a matter-of-fact style, of the true solution of the difficulty without the slightest show of impatience or dogmatism. So when you were alone with him, he would ask questions at short intervals in the manner of one who thinks aloud, and indeed at such times as he was not absorbed in work his mind was actively pursuing some train of learned thought.

Naturally modest and retiring, Gross mixed little in the general society of his academic community, and the distressing and long-continued illness of his wife isolated him still further from the world. He was, however, no recluse, and he delighted in the companionship of colleagues and pupils, both in Cambridge and in London. His former students in particular could always count on the helpfulness and friendship which were characteristic of a singularly unselfish and loyal nature. In every activity of his life he carried more than his share of work and responsibility, and under the most trying circumstances he neither held back nor complained. The only things that taxed his patience were superficiality, sham, and attempts at deception. A great scholar, he brought into every task the scholar's devotion and a certain large simplicity of purpose, and his historical work was merely one expression of a deep sincerity of life and character.

JANUARY MEETING, 1916.

THE stated meeting was held on Thursday, the 13th instant, at three o'clock, P. M.; the first VICE-PRESIDENT, Mr. RHODES, in the absence of the PRESIDENT, in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library since the last meeting.

The Cabinet-Keeper reported the following accessions:

A view of Bunker Hill Monument, 1916, from D. Berkeley Updike; a bird's-eye view of Sebastopol and its environs, from Mrs. Frederick C. Shattuck; a colored reproduction of "Washington inspecting the first money coined by the United States" after a painting by John Ward Dunsmore, 1914, from Frank E. Stewart of Philadelphia; a half-tone of the John Hancock tablet in the State House, from Mr. Norcross; a photogravure of the tablet in Faneuil Hall, Boston, placed by the Massachusetts Society of Sons of the Revolution, from Dr. Green.

Medals, of the Boston Fusileers, from Captain E. S. Anderson; the Quinquennial medal of the Harvard Class of 1898, from Bartlett H. Hayes; of the G. A. R. Lincoln Anniversary, and of General W. W. Blackmar, from John E. Gilman; of the Eastern Yacht Club, from Henry Taggard; of the New England Coal Dealers' Association, from the Association; of William Pynchon, issued by the Publicity Board of Springfield, from Edward H. Marsh, President; of "Jean Léon Gerome, Peintre," by J. G. Chaplain, 1885, from Mr. Norcross; the Franklin School Medal, from Edward Percival Merritt; and the Fort Warren Canteen check, from Mr. Shumway.

The Corresponding Secretary reported the receipt of a letter from Julius H. Tuttle accepting his election as a Resident Member of the Society.

The Editor reported the following gifts:

From Francis J. Garrison, a number of Free Soil newspapers of interest and rarity. In the larger number of cases there is

only a single issue, but as many of the journals had a short career and a limited circulation, the difficulty of obtaining examples or of determining their history is almost insuperable. The following is a list of the papers in this gift:

MASSACHUSETTS. *Boston:*

The Cradle of Liberty, March 23, 1839. Vol. I. No. 1. Made up from the *Liberator*. Weekly.

Free State Rally and Texan Chain-Breaker, November 15, 1845. Vol. I. No. 1. Published by Jordan and Wiley. Weekly "or oftener."

The Hangman, January 1, 1845. Vol. I. No. 1. Charles Spear, editor and proprietor. Weekly "for thirteen weeks."

The Latimer Journal, and North Star, November 11, 1842. Vol. I. No. 1. Edited by an association of gentlemen, and issued tri-weekly at 15 State Street. Tri-weekly.

The Liberty Bugle, September 21, 1848. Vol. I. No. 6. C. C. Nichols, editor. Published "during the campaign" at the office of *The Emancipator*, 60½ Cornhill.

The Non-Resistant, January, 1839. Vol. I. No. 1. Published by the N. E. Non-Resistance Society. Semi-monthly.

The Weekly Chronotype, October 21, 1847. Vol. II. No. 22. White, Potter and Wright, publishers. The editor was Elizur Wright.

Dedham:

The Regulator, and Independent Liberal Advocate, September 18, 1839. Vol. I. No. 4. "Edited by a clerk of the Writing," and printed and published at the office of H. Mann, High Street, Dedham.

Essex County:

Voice around the Jail, Sunday, May 28, 1843. Vol. I. No. 3.

Newburyport:

Beacon of Liberty, September 13, 1848. Vol. I. No. 1, and also No. 4 (October 14). Published by Joseph Hunt. Weekly.

Salem:

The Free World, September 1, 1848. Vol. I. No. 3. George F. Chever, editor. Weekly.

CONNECTICUT. *Hartford:*

The Charter Oak, November 9, 1848. N. S. Vol. III. No. 45. William H. Burleigh, editor. Weekly.

NEW HAMPSHIRE. *Concord:*

Granite Freeman, August 22, 1844. Vol. I. No. 8. J. E. Hood, editor and proprietor. Weekly.

RHODE ISLAND. *Providence:*

Plain Speaker, December, 1841. Vol. I. No. 7.

NEW YORK. *New York City:*

The Ballot Box, October 23, 1840. Vol. I. No. 18. J. Leavitt and N. Southard, editors. Daily.

The Colored American, April 3, 1841. N. S. Vol. II. No. 5. Charles B. Ray, publisher. Weekly.

The Emancipator, May 16, 1839. Vol. IV. No. 3. Published by the American Anti-Slavery Society. New York. Joshua Leavitt, editor. Weekly.

Cortland Village:

The True American, February 11, 1846. Vol. II. No. 2. Published by Stedman and Goodwin. Weekly.

OHIO. *Columbus:*

The Ohio Standard, November 8, 1848. Vol. I. No. 13. E. S. Hamlin and I. Garrard, editors.

PENNSYLVANIA. *Borough of Indiana:*

Clarion of Freedom, February 2, 1848. Vol. IV. No. 40. Weekly.

Philadelphia:

Pennsylvania Freeman, September 3, 1846. N. S. Vol. III. No. 36. Published by the Pennsylvania Anti-Slavery Society. Weekly.

And a deposit by Mr. Sanborn of eighteen volumes of the papers of Theodore Parker, including his letter books, commonplace and notebooks, letters sent to him and list of lectures.

Ferris Greenslet, of Boston, was elected a Resident Member of the Society.

The VICE-PRESIDENT announced the death of John C. Schwab, a Corresponding Member.

Professor MERRIMAN narrated some of his interesting personal experiences in connection with the Great War while on his visits to the front and the trenches in France. He exhibited a number of posters collected by him at the time.

Professor SUMNER followed with a narration of his own experiences before the war in Germany, where he heard from the lips of members of the Prussian military aristocracy the theory on which the organization and progress of the State are based. He also gave a comprehensive sketch of the German university system.

Remarks were made during the meeting by Mr. THAYER.

MEMOIR

OF

PHILLIPS BROOKS.

By GEORGE HODGES.

Two biographies of Phillips Brooks have been published by members of this Society — a short account and appreciation of his ministry by Mr. Howe, which appeared as one of the volumes of the series entitled *Beacon Biographies*, and the *Life*, which was written, at the request of the family, by the late Dr. A. V. G. Allen, which fills two considerable volumes.

Dr. Brooks was elected a Resident Member of the Society, March 13, 1879. He served as a member-at-large of the Council from April, 1881, until April, 1883. At the September meeting, 1881, he paid a tribute to the memory of Dean Stanley. In November, 1883, when the Society met in the Arlington Street Church to observe the four hundredth anniversary of the birth of Martin Luther, he opened the meeting with prayer. The record of attendance during the thirteen years of his membership shows his presence at eleven meetings.

Phillips Brooks was born in Boston, at No. 56 High Street, December 13, 1835. He came of substantial Puritan stock. On his mother's side the Phillips family went back to the Rev. George Phillips, who landed at Salem in 1630, coming with Winthrop and Saltonstall and serving as first pastor of the church at Watertown. In the sixth generation Samuel Phillips founded the Phillips Academy in Andover, and thus "became the pioneer of the system which has given to America its classical schools." His son, John Phillips, founded the Andover Theological Seminary," the first institution of its kind in eccle-

Phillips Brooks

INSTITUTE OF HISTORICAL RESEARCH

siastical history." On his father's side the Brooks family went back to Thomas Brooks, whose name appears in the records of Watertown in 1636. They moved to Medford, whence John Brooks (1752–1825) marched in command of a company to Lexington, fought at Bunker Hill, became adjutant-general, and for seven years was governor of Massachusetts. One of the Brookses married a Boylston; another married a descendant of John Cotton.

The parents of Phillips Brooks had belonged to the First Church of Boston, but his mother was troubled by the theological controversy which was dividing the Puritan congregations of the neighborhood, and the family sought refuge in the Episcopal Church. First the mother was confirmed at St. Paul's, and then, seven years after, the father. When Phillips was six years old Dr. Vinton became the rector of the parish, and continued thereafter for many years a strong and helpful influence in his life.

After three years in the Adams Grammar School, he attended the Boston Latin School for five years, and entered Harvard in the class of 1855. Upon his graduation he returned to the Latin School as a teacher, thus entering upon the profession toward which his hopes and plans were at that time turned. In this position, however, he was not successful. He was not quite twenty years of age and was put in charge of a class of thirty-five turbulent lads only a few years his junior. They had already driven two masters out of the school. They accomplished the same feat with Mr. Brooks. He could not manage them, and was accordingly requested to resign. In the perplexity of his defeat he consulted the president of Harvard College, Dr. Walker, and was advised by him to study for the ministry. He had not shown any active interest in religion during his college course. He had listened to Dr. Vinton's sermons so "crunched down with his head between his shoulders, hardly visible," that "one could not tell whether or not he were paying attention to the preacher." It was plain, however that he had a reflective mind, an excellent gift of expression and a serious spirit. He so far followed Dr. Walker's advice as to go to the Theological Seminary at Alexandria, Virginia, but his mind was not made up and he entered the seminary without having even been confirmed. The experiment succeeded

beyond his expectations. His new studies interested him, new enthusiasms awoke in him, new convictions and aspirations filled his soul.

Phillips Brooks began his ministry in 1859, in the Church of the Advent, Philadelphia. The parish was neither large nor important, but the prudent vestry were mindful of the perils involved in taking a rector who had had no ministerial experience and they engaged Mr. Brooks for a period of three months on approval. One Sunday evening, as he was going home from church with one of his vestrymen, he said to him that perhaps he had better leave at once and not wait until the three months were out. All that his companion could say in reply was, "Well, as long as you have begun, you had better stay out the time for which you were hired." But the congregation gradually increased, the fame of the young preacher extended even outside of the city, the temporary engagement was made a lasting one and calls began to be heard from several places tempting him away. In 1861 he accepted the repeated and importunate invitation of Holy Trinity Church, Philadelphia. There he remained until he came, in 1869, to Trinity Church, Boston.

The ministry of Phillips Brooks in Philadelphia had been successful rather than remarkable. Crowds had attended upon his preaching and he had been asked to speak on all sorts of public occasions, but he had not appeared conspicuously different from his contemporaries. His manner in the pulpit was that which he maintained throughout his life — swift as a charging regiment. His sermons were rather more intellectual and literary than those which he preached in Boston. They troubled some hearers, to whom the preacher seemed to be making his way toward theological assurance through many difficulties. There were devout, old-fashioned persons who felt that the sermons did not quite reach the heart of the matter. Such a situation is always interesting, but it is not unusual. It has been a part of the experience of many excellent preachers. There was little as yet to indicate the great place which Mr. Brooks was to take in the history of religion in America: with one exception. This was his prayer in 1865 on the occasion of the commemoration by Harvard University of the students who had fallen in the Civil War. Not a word of this prayer remains, but there is abundant testimony as to the profound

impression which it made on those who heard it. Even beyond Lowell's Commemoration Ode, it was the supreme utterance of the day.

Trinity Church, Boston, stood then on Summer Street, but plans for removal were already under consideration when the great fire of 1872 cleared the way for immediate action. While the new church in Copley Square was in the process of construction, the services were held in the hall of the Institute of Technology, on Boylston Street. The unusual conditions interrupted the conservative exclusiveness of the parish and brought into the congregation great numbers of outside persons. The unecclesiastical appearance of the meeting-place seemed to be the fitting symbol of a ministry which was addressed not to any one communion of Christians but to the community at large. The preacher was accounted to belong not to the Episcopal Church only but to the city. This situation was continued and even emphasized by the notable architecture of the new church, which was immediately recognized as one of the monuments of Boston to be visited by every sightseer. The preacher and the church together stood out conspicuously in the public life of the place.

Mr. Brooks's sermons were deepened and enriched by his increasing experience. In Philadelphia he had begun to identify himself with various reforms, and, in particular, had taken a radical position regarding the admission of the freed slaves to full political rights. In Boston he devoted himself wholly to the work of preaching. He was on the side of all good causes, but did not serve on their committees. He declined to give literary lectures, or to write literary papers for the magazines. He took no place of active leadership in the ecclesiastical controversies of the day. His convictions regarding all matters were made plain; there was no doubt as to where he stood. But his contribution to progress was inspirational, moral and spiritual. Men and women went out from his preaching to apply in their own way the principles which they had learned from him.

In 1877 he gave at the Yale Divinity School the Lyman Beecher lectures on "Preaching." In 1879, at the Philadelphia Divinity School, he gave a course of Bohlen lectures on "The Influence of Jesus." A local newspaper graphically described

his appearance and manner of speaking. He was "a tall, broad-shouldered man," the reporter said, "with a perfectly smooth, open face, strong lines about the mouth, bright, expressive eyes and dark hair. . . . There was no pause for preparation after he got into the pulpit. He placed the manuscript before him and began the lecture. The delivery of the man was remarkable. He announced the title and introduction in words that came so rapidly that it required the utmost concentrated attention to keep up with him. He spoke for about an hour. During all that time his tremendous energy of delivery kept up at the same rapid pace, reminding one of a torrent rushing over rocks. The words seemed not to flow out to the audience, but to shoot out. The ground he got over in an hour was equal to three ordinary lectures. And when he closed, the attention of the audience was as rapt as ever. Occasionally there would be a stumbling over a word. Then his head would jerk to this side and that impatiently, as though the word must come despite all impediments. He kept his eyes on the paper almost continuously. Probably four times, certainly not more than half a dozen, he gave a glance toward the audience. He seemed to lose himself entirely in his subject. His eyes were bent on the manuscript, his whole expression, his features, the twitching of his facial muscles, showed the tremendous concentration of energy put into the effort."

In 1879 Mr. Brooks went to England and visited Dean Stanley, preaching in Westminster Abbey and at Windsor before the Queen. In 1881 he was called to Harvard to be professor of Christian Morals and preacher to the University. He had then been for twelve years a member of the Board of Overseers. The position, however, demanded his entire time and necessitated the giving up of his parochial ministry, and after serious consideration he declined it. Thereupon the University constituted a body of chaplains, of which Mr. Brooks continued to be one until his election to the episcopate.

He took a sabbatical year in 1882, travelling as far as India. Harvard had given him the degree of Doctor of Divinity in 1877; Oxford gave him the same degree in 1885. In 1889 he visited Japan. In 1891 he was elected Bishop of Massachusetts. According to the canons of the Episcopal Church, the election of a bishop in any diocese must be confirmed by a majority

of the bishops and of the standing committees of all the other dioceses. This confirmation had been refused some years before to Dr. James DeKoven on account of his "high church" views, and an attempt was made by some of the brethren to have it refused to Dr. Brooks on account of his "broad church" views. But the church at large had now learned some lessons from the mistakes of the past, and it was impossible to revive the old narrownesses to any serious extent. Dr. Brooks was given the approval of the general church, in spite of his liberal theology and his slight esteem for the apostolic succession, and was consecrated bishop on October 14, 1891.

Bishop Brooks administered the diocese of Massachusetts for a little longer than a year. In January, 1893, he was taken ill with diphtheritic sore throat, and died in a few days, on the 19th. Not only Trinity Church, but all Copley Square was filled with the multitude who came to his funeral. On the way to the cemetery his coffin was carried through the Harvard yard on the shoulders of students.

Ten volumes of the sermons of Phillips Brooks have been published, but he lives chiefly in the life and influence of innumerable persons to whom he gave a new faith and a new enthusiasm for righteousness and truth.

FEBRUARY MEETING.

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P. M.; the first VICE-PRESIDENT, Mr. RHODES, in the absence of the PRESIDENT, in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library since the last meeting.

The Cabinet-Keeper reported the following gifts:

Miniature of Charles Sumner (artist unknown), with a lock of hair in the back, from Miss Alba Davis; photogravure of William H. Forbes, from Dr. Green; plaster medallion of Lincoln, by the Boston Sculpture Company, issued in connection with "The Birth of a Nation"; also a store card of Ward's Tip-Top Bread, from H. A. Gray; Boston Zionist Conventions badge, from J. De Haas; souvenir of the New York Lucky Penny, and Waltham Trust Company's token, from J. H. Storer; eight badges of the Benevolent Protective Order of Elks, from Charles A. Kelley; medal of the S. K. Club, Cambridge, from Robert Baldwin; half-tone portraits of Major Thomas Savage, of Boston, and of several of his descendants, from Lawrence Park; and a photograph of the younger Buckingham, taken by Whipple, of Boston, from Miss Sarah B. Hager; an engraving of George Thompson by C. Turner, after a painting by George Evans, framed; a painting of the ship *Abolition* and the wreck *Colonization*, by Clement Drew, 1839; engraving of a "Scene on the Coast of Africa" in the slave trade, by C. E. Wagstaff after a painting by A. F. Beard, published May 10, 1844; photograph of Charles Sumner by F. W. Black & Co., April 1, 1874; plaster medallion of Maria Weston Chapman, by Ch. Le Boury, 1855; and a bust of William Lloyd Garrison, by S. V. Clevenger, 1841, deposited by Francis J. Garrison, and other representatives of William Lloyd Garrison.

The Corresponding Secretary reported the receipt of a letter from Ferris Greenslet accepting his election as a Resident Member of the Society.

The Editor reported the gift from Charles E. Goodspeed, of the original certificate of copyright, issued August 1, 1825, to

James Savage, covering the first edition of Winthrop's *History of New England from 1630 to 1649*.

Also the deposit by the surviving children and representatives of William Lloyd Garrison (1805–79) of a number of files of antislavery and abolition journals, being practically a complete record of the journalistic career of the elder Garrison, as follows:[1]

Essex Courant, published by Isaac Knapp, Newburyport, Mass., June 9, 1825, to March 16, 1826, 41 nos., *bound with*

The Free Press, published by W. L. Garrison, Newburyport, March 22, 1826, to September 14, 1826, 26 nos., with twelve additional nos. (27–38), published by John H. Harris.

This volume is the only complete file of *The Free Press* known to me, and is of special interest and value for its being the medium of publication of the early poems of John G. Whittier. See number for June 8, in which the first poem appeared. His second poem, "The Duty," appeared two weeks later, and every subsequent issue while W. L. G. published it contained a poem by *W*. All told there are fourteen of them, for the poem on "The Emerald Isle" in No. 24 is undoubtedly his, his initial being accidentally omitted.

The Journal of the Times, edited by W. L. Garrison at Bennington, Vermont, October 3, 1828–March 27, 1829, 25 nos., *bound with*

American Manufacturer, edited by J. G. Whittier, Nos. 13–45, December 25, 1828–August 6, 1829. Printed at Boston. (J. G. W. began with No. 14, January 1.)

The Genius of Universal Emancipation (Vol. IV. New Series) published by Benjamin Lundy and William Lloyd Garrison, Baltimore, Md., Sept. 2, 1829–March 5, 1830. 26 nos.

National Philanthropist, Vol. III, No. 6, June 6, 1828, edited by W. L. Garrison. Printed at Boston. (A bound file of the *Philanthropist* is in the Boston Athenæum.)

The Liberator, 35 vols., 1831–1865. Edited and published by W. L. Garrison, Boston. *A complete and perfect file. See Mob placard* in front of volume for 1835.

The Non-Resistant, edited by Edmund Quincy, Maria W. Chapman, and Wm. Lloyd Garrison, and published by the N. E. Non-Resistance Society, Boston. January, 1839–June, 1842. 24 nos. a year, semi-monthly. 83 nos.

Declaration of the National Anti-Slavery Convention held in Philadelphia on the 4th, 5th, 6th, of December, 1833. Lithograph, with

[1] This description was prepared by Mr. Francis J. Garrison, to accompany the deposit.

fac-simile signatures. Framed in the wood of Pennsylvania Hall, Philadelphia, destroyed by mob in May, 1838. This copy belonged to John G. Whittier and hung in his house at Amesbury for fifty years. After his death it was presented by his niece, Mrs. Pickard, to F. J. Garrison. (The table on which the Declaration was signed is in F. J. G.'s possession, and the inkstand used is in the Boston Public Library.)

Professor EMERTON read a paper describing his early impressions of Germany based on a three years' residence at German universities as a young man.

Dr. WARREN read a "Chapter in the History of Harvard Medical School," being the story of the campaign in 1901 and the following years to obtain funds for the erection of the group of buildings now occupied by the school.

The Editor presented for publication the following

LETTERS TO JOHN BRAZER DAVIS, 1819–1831.

He was the eldest son of Ezra and Mary (Brazer) Davis, and was born October 16, 1798. He fitted for college at Exeter Academy, took his degree at Harvard in 1815, standing second in his class. John G. Palfrey and Jared Sparks were in the same class. He taught a select school on Chestnut Street, Salem, was a tutor in Harvard College, 1819–1820; studied law and was admitted an attorney at Boston, April, 1821; for five years was a representative from Boston in the legislature; and aid to Governor Levi Lincoln. For two years he was editor of the Boston *Chronicle and Patriot*, and after his retirement devoted himself to law. In 1826 he married Laura M. Gay, daughter of Rufus Gay, of Gardiner, Maine, and granddaughter of General Henry Dearborn. He died December 17, 1832. The Boston *Atlas* said at the time of his death: "Mr. Davis was in good health but a few days ago, and addressed his fellow-citizens in Faneuil Hall on the evening preceding our annual State election. He was a young man of acknowledged talent and promise, and acted a conspicuous part in bringing about the union of parties upon which our State politics have for the last few years rested. Having lately relinquished his connection with politics, he had devoted his attention mainly to the legal profession, in which he bade fair to rise to distinction."

Except where otherwise stated, these letters were presented to the Society by his niece, Susan Conrad.

From John Pickering.[1]

Salem, Dec'r 4, 1819.

Dear Sir, — I received your letter with the Gr[eek] Dialogue. I have not read it yet; the chirography is such that I cannot read it with any comfort, especially as it is stripped of all accents, etc. I have set Mary to copying it, in Ciclitira's manner, by way of exercise for her and to make it more legible. I cannot help again expressing a wish, that the students might be taught to write a proper *Greek hand*, instead of painting the letters just as the Chinese do English letters. I hope you will introduce it while you remain at Cambridge.[2] I am with much regard yours,

Jno. Pickering.

[Endorsed,] Mr. Jno. B. Davis, Harvard University. By J. C. Lee.[3]

From Lynde Walter, etc.

Boston, Feb'y 5, 1821.

Sir, — We have the honor to tender to you the sincere thanks of the friends of a Bankrupt System, for the very able and valuable Pamphlet addressed to the Senate and Representatives in Congress assembled,[4] and to assure you the Society do most highly value your exertions in their cause. We take leave at same time to tender you our warmest wishes for your personal welfare.

Lynde Walter[5]
H. W. Rogers.
John MacKay.
Committee.

[1] John Pickering (1777–1846), lawyer, of Salem. He devoted much attention to languages, and in 1806 declined an appointment to the Hancock professorship of Hebrew and other oriental languages in Harvard College. His biography was written by his daughter, Mary Orne Pickering — the "Mary" of this letter.

[2] Davis was a tutor in the College, 1819–20.

[3] John Clarke Lee (1804–77), at this time in his first year in the College, graduating in 1823. He studied law in the office of John Pickering, was of the commercial firm of Merrick and Lee from 1826 to 1830, and in 1848, with George Higginson established the banking house of Lee, Higginson and Co. *The Pickering Genealogy*, 499.

[4] *A Letter to the Senate and House of Representatives of the United States upon the Expediency of an Uniform System of Bankruptcy*, Boston, 1821.

[5] (1767–1844), a merchant of Boston and son of Rev. William Walter (1737–1800) and Lydia, daughter of Benjamin Lynde.

FROM GEORGE EUSTIS.[1]

NEW ORLEANS, Nov. 23, 1821.

MY DEAR SIR, — I received your letter by Mr. Sherman and return you my thanks for it, and hope that you will never let any of your friends come this way without my knowing them. I cannot but feel a warm interest in all our countrymen who migrate to this country and shall always deem myself fortunate, if I can, in any manner, aid them in their undertaking. For, my dear Sir, a man's changing his country — and oftentimes with it, his friends, his associations, his habits — is a circumstance of no ordinary moment in the history of his life. Matrimony and migration are two grand crises, which either better a man's situation and happiness, or destroy him: there is no medium in their effect.

Mr. Sherman left the city some days ago for Red River, (the principal settlement on which is Alexandria) [2] with the intention of establishing himself there, with the expectation of being able to study the law, while he should defray his expenses by teaching a school. I thought that the best place for him was the city — knowing that the rough, (savage, if you will,) habits of the country settlements, would not accord with his feelings, and therefore advised him to apply for a vacancy in the Orleans College, (a poor affair, to be sure, but with a salary of $1200), thinking that he could at the same time pursue his studies of law with more advantage. He accordingly made the application and will, if he succeeds in it, of which I have no doubt, return to the city.

I receive the *Boston Patriot* [3] regularly and never read its editorial remarks without pleasure, because they are full of liberality and *Americanism*, always in good taste and well conceived. I however differ with my friend on the subject of the conduct of Jackson. He is a man of such influence, of such fame, that he belongs only to his country, its character is in some degree identified with *his*, and, I confess, I can only look upon the transactions of the General towards Colo. Callava,[4] with regret. I cannot but regret the passion, the violence, the want of reflection and dignity there exhibited. Gen-

[1] (1796–1858). Soon after graduating (H. C. 1815) he went abroad as private secretary to his uncle, William Eustis, then United States minister at The Hague. He settled in New Orleans, La., in 1821, held many public offices and was Chief Justice of the Supreme Court of Louisiana. He married, in 1825, Clarisse Allain. *N. E. Hist. Gen. Reg.*, XXXII. 217.

[2] Alexandria, the capital of Rapides Parish, La., where the University of Louisiana was until 1869. Ephraim Sherman (1801–1822) graduated at Harvard College, 1819, and died at Natchitoches, La.

[3] See Brigham's "Bibliography of American Newspapers" in *Am. Ant. Soc. Proceedings*, XXV. 268.

[4] Bassett, *Life of Andrew Jackson*, I. 298.

eral Jackson has rendered such important services to this country — to Louisiana, which, by his energy and talents alone, was saved — his fame is identified with ours, and I felt humiliated when I heard, *from eye-witnesses*, a story of the affair of Callava. The General is brave almost beyond example, an admirable judge of the *force of circumstances*, has every quality which can inspire confidence, many that inspire admiration; but he is too passionate, too self-willed ever to be entrusted with a power over the liberties of his fellow citizens, except when a sacrifice of that liberty may be necessary to the safety of the State.

The morning after I parted with you at our social meeting at Concert hall, I set out upon my journey, and continued it by land until I arrived in this goodly city — where I arrived in thirty-four days from Washington City, having rode seven hundred miles on horse-back. Part of the route was through the Choctaw nation, and I had some little amusement on my journey in observing the manners of the Indians, and a great deal of annoyance from the bad fare and worse grace, with which these children of nature entertained me. On my arrival I found all our courts open and business commencing with more than ordinary vigor. The absence of the yellow fever has given an extraordinary impulse to every thing. Strangers are flocking to the city. Mr. Pepin the equestrian and no less than three companies of comedians propose to endeavor to minister to our pleasure this winter, so that there is every prospect of passing a merry one. The French are getting up a grand funeral service in memory of Napoleon, for which there is a large sum of money subscribed, and it cannot fail to be — *superb*.

I wish you, my dear Sir, to remember me to my good friends Mr. and Mrs. Waters and Mr. and Mrs. Gibbes and Miss Boit. Very sincerely your friend,

G. Eustis.

From Daniel Parker.[1]

Washington, Nov'r 25th, 1821.

Dear Sir, — I have received your letter of the 12th instant. It would afford me pleasure to render any service to the republican party in Massachusetts, and I should be particularly happy to promote your personal views. It is however doubtful how far I could do so, even if I could find time to write as frequently as the correspondent of an editor should from this city.

The signs of the times are so variant that they cannot be trusted.

[1] (1872–46), at this time paymaster-general, from which office he was superseded in 1822. Adams, *Memoirs*, v. 527; vi. 3, 6.

Our city editors with all their vigilance are often deceived and sometimes make awkward apologies. Mr. Jefferson, to whom you refer very justly as the champion of policy for a government and country like ours, as far as I can understand his measures, always kept in the rear of public opinion, although he seemed to direct the storm. He was only quicker than others in discovering its course and shaped his measures accordingly. I think this tact will account for the elevation of most politicians. The advantage of our public men is, not that they have the most talents, or the best education, for when you come in contact with them they fall to about your own level. I say fall, for we modest men of the east are too much in the habit of looking up to office men. I have been so long from Massachusetts that I hardly know what suits the taste of the *Yankees*.

Please to consider me a subscriber for the *Chronicle and Patriot* and have it directed to me. I have so seldom read a Boston paper of late, that I do not know how you manage your political affairs. If I should find that I can contribute any facts, or hints, worth your consideration I will do so; always with this proviso, that you are not to expect any thing in form. I should have observed, in connection, that the same tact that made Mr. Jefferson so successful a statesman is the great requisite for an editor. My letters if they ever serve you at all will only do so as a vane to show how the wind blows. My brother is acquainted with Mr. Bailey [1] a clerk in the Department of State who I think has some leisure and would be a useful correspondent. I have given my brother this hint. I was formerly acquainted with your father and his family as well as with Mr. Brazer. Do me the favor to present them my respects and believe me Very respectfully your friend and mo. ob. Servt.,

D. Parker.

From Joseph Story.

Salem, Dec'r 11, 1821.

Dear Sir, — I had the pleasure of receiving your Pamphlet on the subject of a Bankrupt Law last evening. I have perused it with great satisfaction and think it does honour to your talents and judgment and feelings. The sentiments are such as I cordially concur in, having been for many years an unequivocal advocate for a Bankrupt System from the best judgment, which I could form from

[1] John Bailey (d. 1833), tutor in Brown University (1808–14), member of the Massachusetts House of Representatives (1815–16), clerk in the United States Department of State (1817–23) and a member of Congress (1824–31). Huntoon, *History of Canton*, 521.

my own experience and that of other persons. The arguments against it form a strange medley of the most opposite views, and seem to me founded sometimes in mistake, sometimes in ignorance, and not unfrequently in a cold and speculating selfishness. The time is arrived when the experiment ought to be fairly tried, for it has not had a fair trial in our country. If the system could be in operation seven years I am persuaded some of the opposers would become friends, and some of the doubters would become admirers. I wish you as much success as you could desire in this appeal to the sober understanding of our countrymen; and beg you to believe me with my best thanks for your acceptable present, and with great respect and esteem Your obliged friend,

JOSEPH STORY.

FROM DANIEL PARKER.

WASHINGTON, May 11th, 1822.

DEAR SIR, — I write you now with a pretty certain prospect that I shall have the pleasure of seeing you in the course of the summer. The recent differences of opinion between the President and the Senate relative to the reduction of the army must be familiar to you. The exceptions taken by the Senate I had expected and stated them before the reduction was made a year since. No exception however was taken in my case, and the Senate had no personal objections to me. On the other hand they complimented me, individually, but the result leaves me a citizen. This happens too at a time when there are no vacant places which I wish to fill. The *National Intelligencer* of yesterday mentioned the appointment of Colonel Towson [1] *negatively* to my prejudice. I met Mr. Gales and called his attention to it and he has this morning, as you will see by the enclosed, made very honorable amends.

You will naturally suppose I should like to have you give it a place in the *Patriot*, as I do not wish to be obliged to tell my friends in Massachusetts myself that I have only got permission to visit my native State after an absence of more than eleven years in the public service by being out of office. I confess I should like to fix myself in Massachusetts if I could live, but that is hardly possible I fear. I have not sufficient means. I could not probably expect political favor to be made a member of Congress immediately, and the present disposition for retrenchment will induce them to reduce their own pay so that none but rich men can serve in that capacity;

[1] Nathan Towson (1784–1854), appointed paymaster-general in succession to Parker.

besides although Mr. Fuller [1] says he means to decline, I suspect my brother at Charlestown is more popular in my native district than I could be before the next election, even if he had no political ambition himself, and by his letters to me he seems very modest in that way. Yours truly,

D. PARKER.

P.S. I have not the paper of this morning. The article referred to I see is copied into the *Washington Gazette* of this evening. I presume you must have them on your files.

FROM LEVI LINCOLN.[2]

WORCESTER, Nov. 22, 1823.

DEAR SIR, — I received with great pleasure your interesting Letter of the 17th inst. and should have permitted in myself no delay in its acknowledgment, but from a great variety of engagements professional and social which have occupied every moment of the intervening time. The subject you mention has heretofore pressed upon my mind as deserving the most serious reflection of every friend to a Republican Administration of the Government of the Commonwealth. It is due to the sentiments of a large majority of the people, that they should have at least a *participation* of the influence of office in all the Departments of Government, and next to the importance of an impartial and independent administration of Justice, is a conviction in the public mind, that it is so enjoyed. I cannot be persuaded, that the present opportunity to create confidence and a *feeling* of security in the character of the Judiciary will be neglected — full well I know, that the present members of the Bench look to an appointment from the ranks of their political opponents, and profess at least a satisfaction in the expectation, in preference to a diminution of the number of Judges. The expense of salaries is not a subject of general complaint, so far as my acquaintance and observation extend. The people have too clear perceptions of their own interests to barter the security of their personal rights, for the pecuniary consideration of the price at which only they can be peaceably maintained, and I have not the least hesitancy in declaring my entire conviction, that if the vacancy had been filled, previous to the reference of the subject to a Committee of the Legislature, not a question would have been made as to the propriety of the measure. It has been proper and respectful, since

[1] Timothy Fuller (1778–1835).
[2] Levi Lincoln (1782–1868).

that time, for the Executive to suspend an appointment, as otherwise, the Legislature would *virtually* be precluded from deciding the question which is to be agitated before them. The proposition to reduce the number of Judges is not new. It was a topic for much discussion in private circles many years since, and I believe by the most intelligent of our profession was very decidedly disapproved. Among our friends, who were most dissatisfied with the Incumbents of the Bench, it was contemplated to *reorganize* the Courts, and for the avowed and desirable purpose of accomplishing an opportunity, which by *some* of them, now it is presented in the most acceptable manner, seems hardly to be worth improving. Perhaps it should not be doubted, that the duties of the Bench *might* be performed by *four* Judges; but I have long been satisfied that it is both most unwise in itself, and unjust to the character of the Court, to require that excess of bodily labor which exhausts the strength, and disqualifies the man from that progression in knowledge and those attainments, especially in Juridical science, which some leisure for study can alone accomplish. There is also more danger of error, and of corruption, if that is ever to be apprehended, in a few, than in a greater number. And besides in the event of sickness, or occasional disability in an individual, under the present and probably any convenient arrangement of the terms of the Court, business will either be improperly hurried or greatly delayed. Let it be distinctly impressed upon the public mind, that with the Supreme Judiciary in the last resort, rests the security of property, of life, of personal and *political* liberty, for with the Court is the tremendous power of declaring even the *Laws inoperative*, as unconstitutional, and I doubt whether any Republican would hesitate in subscribing to the expediency of providing for the responsibility of at least five men in the discharge of the duties of this high station, and of adding to the security for fidelity in office, the safeguard of political integrity, and the jealous vigilance of a diversity of political party. It is however a subject of much gratification that the decision of the important questions of a reduction of the number of Judges, and of appointments to office, is with the wisdom and discretion of those who will faithfully execute the public will.

For your very kind and partial sentiments in reference to myself I feel particularly obliged. While I shall ever estimate as the highest honor expressions of the confidence of my Fellow Citizens, I hope never to obtrude *personal* pretensions as *claims* to office. Public stations are the gift of the People and should be bestowed upon Individuals only for the public good. I have never permitted myself to solicit them, nor do I practice the humility of always declining them. I cannot however, in justice to your candor, hesitate

to say, that the office to which you refer must to any man regardful of professional reputation be acceptable, unless very peculiar independent and extraneous circumstances render it otherwise, and I do not profess to be an exception to the application of the general remark.

Permit me in offering my congratulations upon the recovery of your health, to add an expression of my high gratification in witnessing in your feelings and exertions a lively interest in measures for the public good. With sentiments of great regard Your Obd. friend and Servant,

Levi Lincoln.

From Joseph Story.

Salem, Jan'y 3, 1824.

Dear Sir, — I beg to return you my sincere thanks for your letter of yesterday. I have no claim upon you for such kindness, and it has indeed most sensibly affected me. I am conscious, that I have no title to the distinction, which you and other friends are so indulgent as to allow me. But I trust, that your praise will at least have this good effect, that it will stimulate me to more earnest endeavours to deserve it.

After more than twenty years of public and political life I was not indeed prepared for the rude attack made upon me by the late Editor of the *Patriot*. I was from 1806 to 1812 a member of the State Legislature during a period of the most stormy political conflicts. No young man can have any just notion of the sacrifices, that republicans were obliged to make during this period. Those, whose faith was then tried, may smile at the imputation of deserting the republican principles, which they then maintained at every hazard. Nor, may I be permitted to say, nor were my duties during the War, with the preceding accumulation of the Causes arising from Embargo and Non-Intercourse Laws, and the War itself, without most momentous and arduous responsibility. I came into political life a republican, and I am not conscious of ever having deserted republican principles. I have exercised on all occasions an independent opinion; and if I have sometimes differed from my friends, it was an honest, open difference, which if it required candour, proffered it in return.

Let me add, that I was one of the earliest subscribers to the *Boston Patriot* at its first appearance, and I have steadily supported it ever since. On *many* occasions I have silently promoted its interests; on no occasion have I designedly injured them. There was the less reason for the attack on me, because from another quarter I

had been accused of the offence of being a *friend* to Mr. Adams. I thought it my duty, as soon as I read the attack, to discontinue the paper. It was the only course reconcilable with a decent self-respect. But I bear no resentment for it. I forgive the writer most cheerfully, though he meant to wound me as deeply as a man of sensibility could be wounded.

I congratulate the public on your resuming the Editorship of the *Patriot*. I am sure, that your services will be truly valuable, and in the spirit of a scholar and a gentleman. Allow me to say, that I feel a real interest in your professional welfare also; I respect your talents and acquirements, and if you steadily pursue the Law there can be no doubt, that you will attain its highest honours. I shall rejoice, if I live to witness you in the foremost rank.

I will detain you no longer than to request you to have the *Patriot* again sent to me, and to state to the Printers that I impute nothing to them. Believe me very sincerely and respectfully, Dear Sir, Your obliged friend,

JOSEPH STORY.

FROM GEORGE BLAKE.

WASHINGTON, Feb'y 10, 1824.

MY DEAR SIR, — Owing to a very unexpected detention of nearly a fortnight, at New York, and to the intolerable state of the roads, at the time of my coming on from thence, I did not reach here before the 29th January; and by reason of some mistake at the Post Office, at which I took care to render myself, very shortly, after my arrival, I was deprived of the pleasure of receiving, until Thursday last, your very kind, and obliging letter of 15th Ulto. In the way however, either of amusement, or edification, in regard to political, or any other sort of topic, you may depend upon it, that, so far as depended upon me, you can have lost nothing by reason of the adverse circumstances before alluded to. The truth is that, after such a rough, and tumbling journey, as a traveller, at this season of the year, must, necessarily, be exposed to, in his way from the Atlantic to the Potowmack, it is indispensably requisite that he should have a few days of calm repose on Capitol Hill, before he can venture to talk or even to think, consistently, upon any of the grave and conflicting matters, which, during a Session of Congress, are constantly in agitation there.

Having, however, had leisure to compose myself, from the fatigues of journeying, to rub the dust from my eyes, and to become, in fact, incorporated, in some measure, with the *strange* society which one is always sure to meet here, at this season, I begin to think I shall soon

feel myself enabled to think, and to talk on *matters* of State, and other *matters* and *things* in general, as *freely* and *largely* as others are accustomed to do, in this latitude.

At present however, although the Supreme Court has, for a week or two, been in session, and had before it, several prominent and interesting questions, the prevailing topic, with us, as well there, as every where else seems to be the *Presidential* question. On this subject, it was my intention, at least for a short season, after my arrival here, to *see* and not be *seen*, to *hear* and not be heard; and the time has not yet quite come when it would have been expedient and proper for me to adopt a different course of policy.[1]

In general terms, however, I feel myself justified in saying to you, that the New England *preference*, is in my opinion, every day, gaining ground in the South and the West. In the course of a few days, after a most rash and *abortive* Caucus shall have ended, I hope it may be in my power to give you some particulars on this head, of an interesting kind.

I thank you, my Dear Sir, very cordially, for the kind solicitude you have manifested, in my behalf, on a *certain subject.* Judging, however from what I find, in the recent Gazettes from Boston, on that head, I am led to believe that nothing which a man of honor, or one possessing any feeling of pride and independence would be willing to accept will be left open in that quarter.

Be this, however, as it may, and whatever or wherever may be my destinies or situation in life, I am, and shall ever continue to be, with perfect truth and sincerity, your friend and servant, In extreme haste,

G. BLAKE.

P.S. I send you, in a Pamphlet form, one of Mr. Webster's speeches, on the Greek question, as it has been revised and corrected. It is thought here, a good thing, and must, I think, be everywhere, so considered.

FROM JOHN HILLS.

LIMA, 11th March, 1825.

MY DEAR SIR, — Nothing of importance has occurred, since my last letter addressed to you from this City. The Congress continue their Session in this City, and the Army have removed from the City, to the immediate vicinity of the Castles of Callao, the blockade of which is vigorously kept up. General Bolivar has his

[1] See the letter of Elijah H. Mills, January 22, 1824, in 1 *Proceedings*, XIX. 40.

Head Quarters at a Hacienda, (Country Seat,) at a little distance from the Army. He will probably leave here in a few days for Alto Peru. The blockade of Callao will be kept up, and a partial siege, or rather bombardment, will shortly be commenced with some heavy battering Cannon, which have recently been received from Valparaiso.

It is rumoured here, that France has declared War against the Independent Republics of South America. The French have several Men of War on this Station, and many at Rio de Janeiro, and the other ports in the South Atlantic Ocean. I am assured from the most unquestionable authority, that, if this rumour should prove true, and the French Men of War take an active part in the present contest, the English naval Commander on this Station will immediately interfere on the part of England. Such are his orders from his Government. The popular prejudice against France is very great. Bolivar will not have a French officer under his command, while the North Americans and English are always hailed as friends. There are many American and English Officers in the Patriot Forces.

I enclose you a correct list of the American vessels in Port, together with a summary of the state of the market.

I offer an apology to Mr. Hill, for the liberty I have taken, on this, and other occasions, in enclosing letters to you, under an envelope addressed to him.

I have perused Boston Papers to the 13th September last, but from them, cannot form a probable conjecture of the result of the Presidential election. I hope however that John Quincy Adams has been elected, and such is the general sentiment among the Citizens of the United States in this City. I am, my dear Sir, very respectfully and truly, your very obed't Serv't,

JOHN HILLS.

FROM TOBIAS WATKINS.[1]

WASHINGTON, 23d June, 1825.

DEAR SIR, — Before this reaches you, you will probably have *seen* that your letter of the 18th was duly received, and that I felt so much gratification in its perusal as not to be able to withhold from the publick a participation in it. The greater part of your letter — which was the more valuable as being the only one received in the city on the subject — is in the *National Journal* of this morning.

[1] (1780–1855), a physician of Baltimore, Md., and at this time fourth auditor, Treasury Department. He had been the editor of *The Portico* (1816–20) and a liberal contributor to the newspapers.

I know what it is to *postpone* a correspondent from day to day, in the hope of having more leisure, or more inclination, to write to him, until the delay becomes *habitual*, and it requires as much effort to shake it off as it would any other *bad habit*. Having a *fellow-feeling* with you on this subject, I can readily find excuses for your long silence, more particularly since it has been so agreeably broken. I regret extremely that the President could not be with you on the grand and solemn occasion just alluded to.[1] But besides the fact that all his Cabinet, except one, are away, and that he is thus left with an unusual burden of publick duties, he had still another and perhaps a stronger reason for not going: he is extremely averse to encounter the publick dinners, and publick gaze, and publick civilities, with which he has been *threatened* every where on the road. He could not have accepted *one* invitation without submitting to the fatigue of *all*, and this would have delayed his return to the City a longer time that he could well spare from the necessary engagements of his high station. His enemies, too, would have taken advantage of the affectionate greetings of his friends to fix upon him the degradation of *seeking popularity*. His abhorrence of every thing that looks like making himself a publick spectacle will, I am afraid, deter him even from making his annual visit to his father this summer. He has not yet, however, made up his mind about it, and I shall not cease to urge him all in my power to go. His father cannot be expected, in the course of nature, to survive much longer, and he ought not to be deprived of the gratification of seeing his son in the character of President of the United States.

Troup and his Legislative Committee have *capt the climax* of folly.[2] Their conduct, however ridiculous and absurd as it is, may lead to some good. A Governor of any State hereafter will hesitate a long time, even under just causes, to make complaint against the general government, lest he may be ranked in the same class with this mad bully of Georgia. The Government have thus far pursued a wise and prudent course; but how far they will be able to avert the ills so likely to spring from the conduct of the Georgia Legislature, it is impossible to foresee. The Legislature, as we hear this morning, has adjourned, after passing a resolution authorizing the Governor, notwithstanding the intimation given to him of the President's wish, *to make the Surveys* agreeably to the

[1] Laying of the cornerstone of Bunker Hill Monument, June 17, Lafayette being present. See *Boston Patriot*, June 20, 1825.

[2] George McIntosh Troup (1780–1856). The controversy concerned the extinguishment of Indian titles to lands in Georgia. See Phillips, *Georgia and States Rights*, 55.

stipulations of the Treaty; and one hundred Surveyors have been appointed for the purpose. I have no idea that the Indians will submit to the Survey: they will probably put to death the first man that attempts it; this will be the war cry to Troup, who will call out his militia, and appeal to the general government to protect the citizens of his State from murder! It is difficult to imagine what could have induced the late President to submit to the Senate, a Treaty which was avowed, in a letter from the Agent which accompanied it, *not to be the act of the nation*.[1] He perhaps did not like to take upon himself the responsibility either of sending it back to the negotiators, or of approving it; and therefore sent it to the Senate, under the impression that they would refuse to ratify it after reading the letter of the Agent which was sent with it. The Senate, on the contrary, regarding the fact of its being sent to them at all as evidence that it was approved by the President, ratified it without looking sufficiently at the circumstances under which it was made. When its ratification came down from the Senate, Mr. Monroe had retired, and Mr. Adams was called upon to fulfil the obligation tacitly made by his predecessor, the whole obloquy of which he has had to bear, though as innocent of all error in the business as you or I. It is a very unfortunate affair, and I heartily wish we were well through it. I am, Dear Sir, very truly and respectfully yours, etc.,

T. Watkins.

From John Bailey.

Washington, 14 Dec., 1825.

Dear Sir, — Your favor of the [*blank*] is rec'd and I thank you for the friendly sentiments expressed in it. You have seen before this that Colonel Williams, late Senator from Tennessee,[2] is app'd to Guatemala. I have tried several times to have a conversation with the President respecting Panama, but have in every instance failed. My distance from his residence, and the constant influx of persons to his "presence" (the presence of one being no obstacle to another) renders intercourse very uncertain.

I have got a volume of Gales and Seaton's *Register of Debates* which I will find some way of getting to you by the mail in a day or two. You will please to pay their Agent for it, Mr. Rowe.

[1] By a message, dated February 28, 1825. *Messages and Papers of the Presidents*, II. 287.

[2] John Williams (1778–1837). He was chargé d'affaires to the Central American states from December 29, 1825, to December 1, 1826.

16 December.

Having delayed the above, I have the pleasure of your favor of the 11th enclosing the *Boston Patriot* of the 10th for which I thank you. The article contained in it is a possible and I will say conclusive argument in favor of our claims on Holland, and is expressed in language worthy of the argument. I shall (probably to-morrow) hand it to President Adams.

You will have seen some resolutions offered by me on Tuesday, relative to internal improvements. Their objects are: 1. conciliation, which every motive urges; 2. the avoiding of — I think — *very great* evils attending the sole exercise of authority by Congress. I stated on presenting them that the principal (last) resolution was drawn up to be presented at the last session, but the period appearing not the most suitable they had been deferred, and that the assignment of specific powers to Congress was not intended to intimate the opinion that the powers did not already exist, but only to draw more distinctly the line between the powers given and those withheld. They sketch what *I think* ought to be the constitution on these subjects, nor have they been presented without *much* reflection.

The nom'n of Mr. King has been suspended for some days in the Senate.[1] Whether it has been acted on to-day I have not heard. If the "opposition" choose to break ground on this point, they must be sadly in want of it.

The committees of the Senate (appointed by the Vice President) show *something* of the feelings of Mr. Calhoun. Was there ever so ill-sorted a Committee as that of *Foreign Relations?* Yours truly,

J. BAILEY.

JOHN MILLS TO LEVI LINCOLN.[2]

SOUTHWICK, Nov. 21, 1826.

DEAR SIR, — I think it probable that this letter will excite your surprise, and I have some fears also, that it will be deemed officious, if not impertinent. But I have presumed, that from the mere circumstance of the rank and office you hold, it is more difficult for you to obtain satisfactory information upon many subjects, than it would be, were you a private citizen. If so, it will not, I hope, be thought unkind in me to communicate freely my own sentiments, and what I believe to be the views and feelings of others. I am not, however, going into an examination of your past administration

[1] Of Rufus King, to be minister to Great Britain.

[2] From the Lincoln Papers, f. 49. See 2 *Proceedings*, XV. 233.

or to make any suggestions in regard to public measures hereafter to be adopted or pursued. The people generally, and as universally so as could at any time be expected or desired, are well satisfied with the *past*, and have no unfavourable apprehensions as to the *future*.

It is well known to you, that a United States Senator is to be elected next winter by the Legislature of this State. This was a subject of considerable conversation in private circles, among the members at the last Session. It seemed to be conceded, that Mr. Mills [1] had, since the election of Mr. Adams, been an able supporter of the Administration. But the republican members, so far as I became acquainted with their views, were, with few exceptions, disposed to continue their support to the administration, but to do it through the agency of a republican Senator. And if this were done, *all* were of opinion, that Governor L[incoln] was the man. But the difficulty is, that the same person cannot be in *two* places at the same time. It was this dilemma, and the uncertainty whether the transfer would be agreeable to you, that induced a postponement of the choice to the winter Session. There may have been other reasons, but I know that these were the principal ones that induced a majority of the Senate to favor a postponement. I have presumed, as I before remarked, that it will be agreeable to you to ascertain the wishes of your republican friends in relation to this subject. My information may not be as accurate or as extensive as that of many other members of the Legislature, but I have no doubt, that all things considered, your friends would generally prefer that you should be retained in your present office, in preference to being elected to the Senate. There are many reasons why they would prefer this. In the first place, we are well satisfied with the present State Administration, and do not wish, therefore, to incur the hazard of a change. In the next place, it will be desirable, that your successor should be of the same political school. But we cannot calculate upon this with much confidence, for although there are many gentlemen of the party of respectable talents, yet there is no one whose standing is such as clearly to designate him for the office. In saying this, I except Judge Morton,[2] who, I suppose, would not be prevailed upon to leave the office he now holds. It will, therefore, be desirable to *us* to retain you in your present office, and I hope that this will be in accordance with your own feelings in relation to this subject. If, however, there are reasons of a personal nature, that induce you to desire that your political friends should place you in a different situation, I have no doubt

[1] Elijah Hunt Mills (1776–1829). See 1 *Proceedings*, XIX. 12.
[2] Marcus Morton (1784–1864).

that this *can* and *will* be done. We have not forgotten, that at our earnest solicitation, you relinquished an honorable, permanent, and lucrative office, for one of an uncertain tenure, and it will not be fair for *us* to insist that you should be confined to that station, so long as it suits *our* convenience without regard to *yours*.

In the House of Representatives, Mr. Mills will, I presume, obtain two thirds of the votes against any other candidate than you. And there are, I suspect, ten or a dozen members (ultra administration men) who will give their votes to Mr. M. against any candidate, but I *know* there are several federal members who will support you in preference to Mr. M.

It cannot be expected that you will publicly decline or consent to be a candidate for the office, but it will be extremely desirable that this should be clearly understood, soon after the commencement of the Session, in order that in one event, such measures may be taken as to render the result sure, and in the other that there should not be a partial support which may render it uncertain whether you was or was not a candidate.

I am not sensible that there is any thing indecorous in what I have written, but if you should deem it so, I beg you to be assured that none but the most friendly considerations have induced me to write. Certain it is, that I should not willingly forfeit the favorable regard, which I hope I in some measure at least, retain in your estimation. Accept, Sir, my most respectful and cordial salutations.

John Mills.[1]

From John Bailey.

Washington, 3 Jan'y, 1827.

Dear Sir, — In relation to our Senator I had formed the opinion some months ago, that if Governor L[incoln] was desirous of the app't and Mr. Mills indifferent about it, Governor L[incoln] would be the best appointment; but if the reverse, that we probably could not do better than re-elect Mr. Mills. The recent state of Mr. Mills' health changed the question; but now he thinks himself convalescent, and is evidently desirous of re-election; but if re-elected would, it is understood, resign, if an unfavorable change in his health should take place.[2] Under these circumstances, Governor L[incoln] being it is said unwilling to run against Mr. M[ills],

[1] John Mills, of Springfield, was chosen to be Senator by the Senate in December of this year, but the House voted in favor of Elijah H. Mills. Green, *Springfield*, 466.

[2] 1 *Proceedings*, xix. 51.

I think Mr. M[ills]'s re-election seems to me the best course that can be pursued.

The Vice President's [1] affair I think will not aid him, though undoubtedly Mix's letter was seized by him as a probable means of enlisting public sympathy, and regaining the ground he has of late lost in the public favor.[2] With the highest respect, Dear Sir, your obed't Serv't,

JOHN BAILEY.

JOHN BRAZER DAVIS TO JOHN BAILEY.[3]

BOSTON, 9th Jan'y, 1827.

DEAR SIR, — Your very acceptable letter of Jan'y 3d I received yesterday and should have replied thereto by return of mail, had I not been suffering from a sprained arm, which confined me to my house for two days, and from which I still suffer some inconvenience.

The subject of our Senator in Congress is a very interesting subject to us, but as I think, is now reduced to more certainty than when I last wrote to you. The Governor is out of the question, as he does not wish the office and his friends do not feel as if they could spare him. The Governor will not be a candidate.

The present incumbent will have a powerful rival in Hon. John Mills, President of our Senate, a highly worthy man, a decided friend of the Administration and a uniform Republican; in addition to all which he is a western man.

My own mind is made up, to vote for the present incumbent and to have him returned, if feasible, as I am now inclined to believe it will be. In my opinion the friends of the administration are bound to support Mr. Mills. Those who *support* the Administration ought to be *supported* in return.

I thank you for the documents you sent me and shall always be much obliged to you for such attentions. Your letters too are ever very acceptable, and the intimations as well as information they contain I hope will always be properly and highly appreciated. With sentiments of great respect and regard I am, Dear Sir, Your most obed't Serv't,

J. BRAZER DAVIS.

[1] John Caldwell Calhoun.

[2] Probably Elijah Mix, whose contracts for constructing fortifications when Calhoun was at the head of the War Department had been under investigation. The attack on Calhoun failed. See *Niles Register*, XXXI. 394; *American Historical Association Report*, 1899, 239.

[3] From the Washburn Collection, 11.1.21. f. 45.

LEVI LINCOLN TO H. U. DWIGHT.[1]

BOSTON, Feb'y 8, 1827.

MY DEAR SIR, — I have postponed the acknowledgment of the receipt of your kind letter of the 10th ult. until this late period, in the hitherto almost daily expectation that I might have opportunity to reply to it, in a manner which I was well assured would be as satisfactory to you, as it would be to myself. I now see no prospect of an immediate determination of the question, to which your communication refers. I cannot longer deny myself the gratification of expressing my thanks for the favorable opinion, which you and others whom I hold in the highest regard are pleased to manifest towards me. If I found myself at liberty to yield to any inducements, it certainly would be done, in respectful submission to their suggestions. There however have been and still continue to present themselves, imperative considerations both in reference to a competition with others, and also of a personal character, which constrain me to *wish* and to *hope*, that I may be excused from this Canvass. However desirable it may become at another time, and under different circumstances to be in association with the National Councils, I am now bound by every motive of interest and regard to consistency of conduct and character unreservedly to decline the honor.

Be assured, my Dear Sir, that I shall at all times hear from you with great interest and pleasure. To those gentlemen who have done me the honor to unite in sentiment with you in the favorable regard of myself, I am under the most grateful obligation and I pray that this expression of my sense of it, with the tender of my respectful recollections and consideration may be acceptable to them and to you. Your obliged Friend and Servant,

L. LINCOLN.

FROM JOHN BAILEY.

WASHINGTON, 17 Feb'y, 1827.

DEAR SIR, — I thank you cordially for your favor of the 7th inst. giving the result of the last ballot in the House Representatives as well as for two previous favors. To-day we have the news for which I am probably indebted to yourself that the Senate have on their part [named] Governor Lincoln.[2] This, though not my *first* wish, has

[1] From the Lincoln Papers, f. 50.

[2] Two ballots in the Senate on the 13th gave the following result:

	1st ballot	2d ballot
Governor Lincoln	17	26
William C. Jarvis	12	6

been uniformly my *second;* and if no chance exists of re-electing Mr. Mills, I hope the House will concur. If this should be, Governor Lincoln I hope will not decline, and therefore a new candidate for Governor will be sought. My first opinion has been in favor of Mr. Crowninshield, to whom we owe much; but I am informed that Mr. Silsbee has been thought of in case of a vacancy. He is an excellent man, and cannot be objected to. But all this is hypothetical, as the House may not concur.

We have to-day an excellent article of news — Governor Tyler's letter. This runs point blank against the main ground of present opposition — the *corrupt bargain* of 1825. Hence the *Enquirer* growls, and well it may.

The Calhoun Report leaves him much worse than he was before the moving of the business. Very respectfully, Dear Sir, Your most obt. Servt.,

JOHN BAILEY.

FROM JOHN BAILEY.

WASHINGTON, 27 Feb. 1827.
Evening, 9 o'cl[oc]k.

DEAR SIR, — We are debating the Colonial Trade bill with the hope of getting the question to-night, but this is uncertain. Much of our business will be unfinished, but what parts we cannot now tell. The bill laying duties on wool and woolens imported will I fear be one.

You will have noticed the election of Gales and Seaton as Printers to this House for the next Congress. There were many who would have preferred Force;[1] but there were some friends of the Administration who were fully fixed for G. and S., and as a plurality elects, according [to] the express resolution, it was feared either that the opposition might get a plurality if the friends of the administration were divided; or at least that the opposition would join with those friends who would adhere to G. and S. and elect them *against* the main body of the friends of administration, which would have been an event to be deprecated. Force therefore was not brought forward, though he has the full confidence of nearly all our friends.

E. H. Mills	7	4
J. Mills	2	2
W. P. Parker	1	1

On the next day the Speaker of the House of Representatives laid before the House a letter from Lincoln declining to be a candidate, and by a vote of 115 to 85 the House postponed the subject indefinitely.

[1] Peter Force (1790–1868).

The re-election of Mr. A[dams] I deem scarcely admitting a doubt. We are now with good hopes of Pennsylvania and Virginia; but wait further developments. With great respect, Dear Sir, your ob't serv't

JOHN BAILEY.

DAVID LEE CHILD TO LEVI LINCOLN.[1]

BOSTON, May 24th, 1827.

DEAR SIR, — At the moment of leaving you on Tuesday, I expressed a hope that you would reconsider the resolution, which I fear you had *too far* formed, of declining an election to the Senate of the U. S. Since I returned I have seen and heard many new reasons for wishing and *entreating* that you would leave the subject *open* until your arrival here next week. There is no doubt in the minds of all enlightened friends of the Administration that either you or Mr. Webster must go. It has long been known that no man in Massachusetts would be more acceptable to our friends at Washington than yourself; and we all considered it a cruel necessity which was imposed upon us last winter of supporting Mr. Mills, and thereby encountering a formidable mass, a very *Juggernaut* of prejudice. In fact we almost cut ourselves off for a time from the body of the Democratic Republicans, and gave to Henshaw, Dunlap, Simpson, and Thayer, associated with Jarvis, Keyes, Austin, and Fisk, almost the entire power and communion of the party. Situated however as the Administration was, we thought it our duty to the country and the Commonwealth to face the storm — to keep out John Mills until we could elect a better man, and to keep out W. C. J.[2] until we — could find a worse one. Altho there were strong reasons for your then declining and among others (as I thot) this, that a profligate press had charged you with a base and dishonorable intrigue to supplant E. H. Mills; and altho scarcely a man has to my knowledge complained of the decision to which you came on that occasion; still it is apparent, that if you could with propriety have consented to receive our votes, it would have

[1] From the Lincoln Papers, f. 61. Child (1794–1874), journalist and abolitionist. In the papers of John Bailey (Washburn Collection 11. 1. 20, 22b) is the following note of recommendation from Henry Dearborn, dated November 21, 1821: "I take the liberty of introducing to your notice my highly esteemed friend Mr. David Lee Chylde, who intends spending the winter in Washington. You will find him a gentleman of fine talents, well improved by education and reading, and perfectly correct in his moral and political principles, habits and deportment, without duplicity or any disposition for intrigue."

[2] William C. Jarvis. See Smith, *History of Pittsfield*, 1800–76, 403.

saved the Commonwealth and would have some of your friends from a great deal of odium and abuse which they have been obliged to suffer from the ignorant, the sordid, and the lowminded of the Democratic party. However I feel no regret at the small part which I for one was called to perform on that occasion: I glory in it.

Allow me now to say that the opinion here and at Washington unquestionably is that your talents [are] eminently *senatorial*, and your name will be of more service to the country in the Senate of the U. S. than in the chair of Chief Magistrate in Massachusetts.

There is one difficulty, which exists — not in the nature of things but in the prejudice and selfish views of *old party* men. It caused us infinite embarrassment last winter. I refer to the apprehensions which undoubtedly exist in the minds [of] these men that the enjoyment and distribution of offices in the Commonwealth will go out of their possession when you go out of your present office; and they therefore insist upon your continuing in it with the pertinacity with which a drowning man grasps a remaining plank. With this class of politicians the honor and the prosperity of the Republic, the support of an excellent, and abused administration, are all postponed to their little schemes of office and influence in this state: with them republicanism is a scramble for office and they are able to convince some honest and disinterested persons that if Mr. Jefferson's test were adopted, if citizens were advanced according to their honesty, capacity and fidelity to the Constitution, *all* that Republicans have been fighting for "these five and twenty years" would be abandoned. I pass by the libel which this doctrine contains upon the Republicanism of our fathers. I confess I have no great sympathy with this class of politicians nor have I any great fear of them. They must be few and weak; if they were not weak they would foresee that many years of an exclusive policy cannot elapse without a reaction which will leave them less than they might obtain and *keep* by a liberal, just and *truly* republican policy; truly republican because it would be agreeable to that maxim, which lies at the foundation of republicanism, and without which I for one prefer a monarchy, viz. *detur digniori.* In my own view, (which I take the liberty to express frankly) very little is due to this class; so far as their wishes are consulted just so far will the deepest laid schemes of the *Henshaws* and *Simpsons* be promoted. They *have it in charge* to array the democracy of this State against the Administration and as essential to this end to keep up and revive party rancour and party exclusion; and they would be happy to retain our Chief Magistrate where he is for no other reason than that they think it necessary for this great purpose. Mr. Austin did more mischief to the Administration and its friends

last winter than forty thousand *open* enemies could have done, because professing ardent friendship for Mr. Adams he co-operated in effecting the purposes of the Jackson party. I should be glad to say more, tho I have already (it may be) said *too much* in more senses than one; but I shall lose the mail if I delay longer to deposit this letter. Will you have the goodness to inform me when you will be in the city? Very respectfully,

D. L. CHILD.

JOSEPH E. SPRAGUE TO LEVI LINCOLN.[1]

SALEM, May 10, 1827.

MY DEAR SIR, — I have the honor to congratulate you on the result of our State election and I take no little pride for the course of my own town and county. In Salem the only opposition to you was the miserable opposition to Mr. Adams and although our county was as deeply interested as Middlesex your majority was increased from last year considerably.

But my present object is one of [a] character which you will excuse when you know it results from the best wishes to yourself and Mr. Adams personally. It is a subject on which we have heretofore conversed freely but which I again feel bound to consult you about.

It is necessary for the friends of the Administration to come immediately to a decision in relation to the Candidate for the Senate. Mr. Silsbee has a letter from Mr. Mills in which he says that he shall decline as soon as the elections of representatives are over. The President and Mr. Clay are both very desirous that you should go into the Senate. The President as I understand, understood you to state the last summer, to him, that in the event of Mr. Mills withdrawing himself, your objections would not be insuperable.

Will you therefore permit your friends to comply with the wishes of the President and support you as the representative of the State in the Senate of the Union? Your answer will be considered so far as you wish it entirely confidential and our course will be directed entirely conformable to your wishes. Believe me with great respect Your faithful friend,

JOSEPH E. SPRAGUE.

EDWARD EVERETT TO LEVI LINCOLN.[2]

BOSTON, 11 May, 1827.

Permit me, Dear Sir, to state, by way of confirmation to what is remarked in the enclosed, that it is within my personal knowledge

[1] From the Lincoln Papers, f. 57.

[2] From the Lincoln Papers, f. 58.

that the President entertains very decidedly the opinion that the Public Service would be highly promoted by your election to the Senate of the U. S. I hope you will not deem it presumptuous, if I add, that such also is the conviction of, Dear Sir, Your most faithful Servant, and sincere friend.

EDWARD EVERETT.

DANIEL WEBSTER TO LEVI LINCOLN.[1]

Private and confidential.

BOSTON, May 22, 1827.

MY DEAR SIR, — It was my misfortune not to see you, on your late visit to this place, owing, partly, to engagements, in and out of town, and partly to a misapprehension as to the time of your leaving the City. Disappointed, thus, in the expectation and hope of a personal interview, I now adopt this mode of making a few suggestions to you, on a subject of some interest; — I mean the approaching election of a Senator in Congress. The present posture of things, in relation to that matter, is so fully known to both of us, that I need not trouble you with much preliminary observation. I take it for granted, that Mr. E. H. Mills will be no longer a candidate. The question, then, will be, who shall succeed him? I need not say to you, that you yourself, will doubtless be a prominent object of consideration, in relation to the vacant place; and the purpose of this communication requires me to acknowledge, that I deem it possible, also, that *my* name should be mentioned, more or less generally, as one who may be thought of, among others for the same situation In anticipation of this state of things, and more especially since I have been awakened by its probably near approach, I have not only given it a proper share of my own reflection, but have also consulted with others, in relation to it, in whose judgment and friendship I have confidence. The result is, that there are many strong personal reasons, and as friends think, (and as I think too,) some *public* reasons, why I should decline the offer of a seat in the Senate, if it should be made to me. Without entering at present, into a detail of these reasons, I will say that the latter class of them grow out of the public station, which I at present fill, and out of the *necessity* of encreasing, rather than of diminishing, in both branches of the National Legislature, the strength which may be reckoned on as friendly to the present Administration. I hope you will understand what I would now wish to communicate, without imputing to me the vanity of supposing

[1] From the Lincoln Papers, f. 59.

that my services to the Administration, or to the Country, in the H. of R. are of any particular importance; or, on the other hand, that it is matter of option with me, to change that place for another. I think quite differently, in both respects. Nevertheless, however inconsiderable the first of these things may be, and however contingent, or improbable, the last, they are such as make it convenient, at the present crisis, to act upon the one, as if it were of some consideration, and to regard the other, as if it might probably, or possibly happen. To come, therefore, at once, to the main point, I beg to say, that I see no way in which the public good can be so well promoted, as by *your* consenting to go into the Senate. This is my own clear and decided opinion; it is the opinion, equally clear and decided, of intelligent and patriotic friends here; and I am now able to add, that *it is also the decided opinion of all those friends, elsewhere, whose judgment, in such matters, we should naturally regard. I believe I may say, without violating confidence, that it is the wish, entertained with some earnestness, of our friends at Washington, that you should consent to be Mr. Mills' successor.* You will probably, as soon as you arrive here next week, learn the same thing, thro another channel. I need hardly add, after what I have said, that such also is my own wish. We are in a *crisis;* and it requires all the aid which can be mustered. If I have not misunderstood you, on some former occasions, you do not desire a long continuance in your present situation. If so, this occasion is apt and convenient to resign it. If you should find your employment at Washington not agreeable, that also may be relinquished, without particular inconvenience, in a short time. The "crisis" will terminate, one way or the other, about the end of the next Session, or by the beginning of that next ensuing. You will then be able to regard your private wishes, probably, or to prolong your official services there.

A professional engagement will take me to New York, at the end of this week. I hope to return by the 5th or 6th of June, but possibly may be detained longer. If you wish to address me soon, please enclose your letter to Nathan Appleton, Esq., of this City, and he will forward it to me, wherever I may be. Mr. Appleton is one of our (few) Representatives. He is intelligent, and perfectly well disposed; and I shall leave him possessed of my confidence, and with power to communicate my views on this subject to other friends, as convenience may require. He is well known to you, I suppose; if not, you may safely regard him as a man of high honor, and fit to be treated with confidence. I am, Dear Sir, very truly yours,

DAN'L WEBSTER.

Gerry Fairbanks to Levi Lincoln.[1]

(*Confidential.*)

Boston, 24 May, 1827.

Dear Sir, — Mr. Webster has this morning called on me and entered into a pretty free conversation in regard to the election of a Senator to fill the place of Mr.Mills who it is understood declines a re-election. He informs me that he has written to you on the subject. You will pardon me for expressing to you freely what I apprehend is the *undivided sentiments of the friends of the administration in this place.* There are probably but two gentlemen who would be *intirely satisfactory* to the party here and the administration, yourself and Mr. Webster. Mr. W.'s influence in the House, and the difficulty of our agreeing upon any gentleman to succeed him in case he should be elected to the Senate, makes it extremely desirable, that if you do not feel the *sacrifice* too great you should become a candidate. It would be unbecoming for me to urge you to this course but I may be permitted to state that with the party here *no gentleman would be so entirely acceptable* and Mr. Webster has stated to me that none would be more acceptable at Washington. You are sensible of the difficulties which occurred last winter in regard to this subject. It is very desirable to avoid them at the coming session if possible. I know of no way of doing it but by placing in nomination a gentleman whose talents and integrity will command the entire confidence of all. The crisis is an important one, our best talents are wanted, in this situation. If you feel any disinclination to this situation I hope you will not express this sentiment untill you have freely conversed with your friends in this place as advantage may be taken of any trifling circumstance of this kind. Very Respectfully Your obedient Servant,

Gerry Fairbanks.

Nathan Appleton to Levi Lincoln.[2]

Boston, 26 May, 1827.

Dear Sir, — Your favour with an enclosure for the Hon. W. Webster is received but too late to be handed him before his departure for New York. Having had a confidential communication with him upon the subject of its contents I took the liberty in conformity to his wish to open it previously to forwarding it to him, and allow me to add a request that you will not take any decided

[1] From the Lincoln Papers, f. 62.
[2] From the Lincoln Papers, f. 63.

step in the premises before I have an opportunity of seeing you, which I will endeavour to do immediately after your arrival in this city, for which purpose I will make the proper enquiry at your lodgings. With great respect I have the honour to be Your excy's most obed't Serv't,

N. APPLETON.

DANIEL WEBSTER TO LEVI LINCOLN.[1]

Private and confidential.

NEW YORK, May 30, 1827.

DEAR SIR, — I have received here your letter, communicated thro Mr. Appleton. I could very much have wished that you might have arrived at a different conclusion, on the question of going into the Senate. Nevertheless, I see that there is weight, in some of the reasons, which you mention, and I am aware also that there are other considerations, not stated by you, which, however little they may affect your own mind, very naturally would create, in others, regret at your leaving your present situation. Under existing circumstances, I feel it my duty to leave it to others to decide how the place shall be filled. If a satisfactory appointment can be made, without removing me from the place I am in, it will be highly agreeable to me; *if it cannot*, the matter must be disposed of as others may deem best. I am, my Dear Sir, with most true regard, Your Ob. Serv't,

DAN'L WEBSTER.

FROM CHARLES EDWARD FORBES.[2]

NORTHAMPTON, May 28, 1827.

MY DEAR SIR, — It gives me pleasure to learn that you are again a Member of the Legislature.[3] As such you will of course take an interest and probably an efficient part in the organization of the Government at the opening of the Session. It is impossible to divine precisely, what will be, politically, the complexion of the House, tho' it is confidently asserted and generally believed that it will not be essentially variant from the last. In which case, I cannot be wrong in believing that the idea of amalgamation in the selection of Counsellors, will be laid aside. The attempt to surround his Excellency with a mixed Council will not it is hoped be

[1] From the Lincoln Papers, f. 64.

[2] Charles Edward Forbes (1795–1881), of the Massachusetts Supreme Court, and founder of the Forbes Library at Northampton, Mass.

[3] As a representative from Boston.

made, or if made, will prove abortive. It is understood, that many of the Members of the present Council will decline a re-election, and among this number is the Hon. J. Fowler [1] from this district. In that event his successor ought in justice and according to an equitable rule of rotation which has been heretofore adopted, to be taken from this County, Franklin and Hampden having furnished the two last. I presume that a spirit of accommodation and courtesy will induce the Representative from the latter counties to concede the right to the former. You may not be acquainted with the Republican members from this county, but would of course consult with them if known to you. Perhaps no one would better represent the feelings of our friends in this vicinity than Oliver Smith, Esquire, the representative from Hatfield. Indeed, if he would consent to take the office himself perhaps no one would give more general satisfaction.[2] He is consistent, independent and disinterested in his political course, was one of the electors of President at the last election and is a firm friend to the state and national administrations. His health, however, is such that it is doubtful whether he will consent to serve. In case he declines the office, Homer Bartlett Esq. has been named as a suitable candidate and is I believe in every respect entitled to confidence. There probably, will be an attempt made to procure the election of Col. J. Shepherd and considering the influence by which he will be supported, if a candidate, and the object of its exertion I have no hesitation in saying that it ought to meet with a decided opposition. There will be, in the course of the ensuing year, a vacancy in the office of Register of Probate and perhaps of judge of Probate in this county.[3] The object of these exertions will be to place the power of disposing of these offices in the hands of those men who for more than twenty years past have both possessed and exercised despotic control in matters of the kind. No republican, unless influenced by interest or family connexions, can, I think, wish success to such an attempt, and if I am not under some strange delusion, *you* will feel a disposition to resist and defeat it. There is only one professional gentleman of the republican party, who is a member of the Legislature from this county for the ensuing year. This is Mr. Lawrence [4] of Belchertown who will it is hoped have notice of the progress of any arrangements of a political nature interesting to this section. I beg of you to consider this communication strictly con-

[1] James Fowler.

[2] He is not in the Council of 1828.

[3] In the office of Register Isaac C. Bates gave place to Samuel F. Lyman. There was no change in the judgeship, Samuel Hinckley continuing in that office.

[4] Myron Lawrence.

fidential. I am, Sir, with highest respect and esteem Your most ob't friend and Serv't,

Chas. E. Forbes.

P.S. Since writing the above I have conversed with several Gentlemen and from the information derived from, am induced to believe that John Arms Esq. of Conway Franklin Co. or Colonel Foot [1] of Southwick, Hampden Co., would either of them be suitable persons for the office, and that the election of either of them would meet with general approbation in this County.

From Joseph E. Sprague [2]

Confidential.

Salem June 2. 1827.

Dear Sir, — Unsolicited by me, my friends have again brought me forward as Candidate for the Council. I should be content to share my chance and stand upon the ground of a nomination were it not for the infamous means that always have been used to put me down. After however the attack upon me in the *Statesman* of to-day the friends of the administration I feel are bound to sustain me at all hazards. If I am not now supported I will withdraw myself entirely from politics. No one has labored more indefatigably. My life has been devoted to it and all I have received has been indignity and insult. If the nomination is left to the democrats in our County the vote would be against me, for the majority are of the same kidney that nominated Dunlap and Henshaw at the General Caucus and their nomination ought to be treated with the same respect. If you my dear Sir will make an effort, justice may be done me notwithstanding any recommendation of another candidate. They talk of Mudge of Lynn.[3] He is insolvent and does business as Agent merely, he scarcely was in gentle company in his life. Weigate is also mentioned. Both weak men who would disgrace us and their friends of the Government low as it is. All the Salem delegation except Phillips [4] I suppose are friendly to me. The Boston delegation also I suppose, Fuller, perhaps Jarvis [5] Sedgwick,[6] Dwight,[7] Washburn,[8]

[1] Thaddeus Foote.

[2] (1782–1852), postmaster of Salem (1815–29), and later Sheriff of Essex County.

[3] Ezra Mudge, the successful candidate.

[4] Stephen Clarendon Phillips.

[5] William C. Jarvis, of Charlestown.

[6] Theodore Sedgwick, of Stockbridge.

[7] Jonathan Dwight, Jr., of Springfield.

[8] Emory Washburn, of Leicester.

in fact most of the leading men. If I am not now sustained I shall feel humbled indeed. Your friend,

J. E. Sprague.

Daniel Webster to Levi Lincoln.[1]

Private.

My dear Sir, — I have addressed a letter to you signifying my acceptance of the place of Senator. Supposing that nothing was to be done with this letter but to put it on the files of the Executive Department, I have confined it to the single purpose of expressing my intention to take the Office. If custom requires, as I suppose it does *not*, that this letter should be sent to the Legislature, I will be obliged to you to return it to me, that I may add a suitable expression of acknowledgments, etc.

This I could not do, I thought, with propriety, in a communication made to the Executive, and not intended to be communicated. I presume no communication to the Legislature is necessary. Yours, very truly,

Dan'l Webster.

From Tobias Watkins.

Washington, 13th June, 1827.

Dear Sir, — Accept my thanks for your favor of the 8th inst. which was received yesterday and which brought me the earliest intelligence of Mr. Webster's election by the Senate of your State. The vote in both branches was highly honorable to him, and gives evidence of a prevalence of good feeling which I am truly rejoiced to see.[2] Such a man as Mr. W. is much wanted in the Senate where unfortunately our friends lack talents. In the other House we are decidedly superior to the Opposition not only in numbers but in strength of debate. Whom will you send in Webster's place? Blake is talked of here as probable.[3]

The cause of the Administration is advancing securely in every part of the Union. *Every vote* in Maryland is now secure; and the recent trip of V. Buren to the South has made such unfavorable

[1] From the Lincoln Papers, f. 65.

[2] June 7 the House of Representatives balloted in the choice of a Senator. The whole number of votes was 328, and Webster received 202; John Mills, 82; Elijah H. Mills, 22; William C. Jarvis, 8; Edward Everett, 6; Levi Lincoln, 3; Henry Shaw, 3; Joseph Story, 1; William Baylies, 1. On the following day the Senate balloted as follows: whole number of votes, 39; Webster, 26; John Mills, 11; Levi Lincoln, 1; Edward Everett, 1.

[3] Benjamin Gorham was elected in succession to Webster.

impressions on his friends in New York, that they oppose his projects at every point; and he has been obliged to declare that whatever may be the will of the Party he will *bow to it*. In haste but very cordially and respectfully yours,

T. WATKINS.

FROM HENRY ALEXANDER SCAMMELL DEARBORN.

BOSTON, August 14, 1827.

MY DEAR COL., — I am much indebted to you for the very particular and pleasing intelligence you were so kind as to communicate from Portland. I think you deserve to become an honorary member of the Medical Society of the State.

This morning brings Buchanan's account of his conversation with General Jackson,[1] and so far from implicating Clay or his friends, I understand he states, that all he did say was from his own suggestion and entirely exonerates Clay and his friends. I have not seen the letter but it will be in the papers tomorrow. This is what I ever thought would be the result. From Pennsylvania the news is cheering.

The President dines with me on the 17th and I wish you were of the party.

My wife returned from Nahant on Thurdsay evening and is in superb health and spirits. Commodore Bainbridge and lady are with us to pass a week.[2] We shall set out on Monday or Tuesday for Middletown.

Tell my much esteemed and excellent Dorcas I depend on her good offices for the merino work.

Give my love to all the household, Doctor and Mrs. Parker and General Wingate. Pray go up there very often; it will wake him up and do him good. Your sincere friend,

H. A. S. DEARBORN.

FROM JOHN BAILEY.

WASHINGTON, 7 Feb'y, 1828.

DEAR SIR, — Yesterday I had the pleasure of receiving your letter of the 31st as I had before that of the 22d. I find the question of the mode of choosing Electors is before you. I could almost wish — I say almost — that the choice should be by districts; believing as I do, that every vote would still be for Mr. A[dams] by an over-

[1] *Works of James Buchanan*, I. 263.
[2] William Bainbridge (1774–1833).

whelming majority, and knowing that the vote for the "unpledged" ticket of 1824 was enlarged (materially enlarged, I believe) by the votes of those who were friendly to Mr. A[dams] in consequence of their objections to the mode of choice. Still I know much may be said in favor of a general ticket.

If any meeting should be had and resolutions published on the subject of the presidential election, it has seemed to me that something should be said (very *delicately*, as Virginians would dislike any thing else) of the pleasure which Massachusetts (or the representatives of Mass.) have in the coincidence of feeling between so large a portion of Virginia and Massachusetts, and something referring to the fact that Massachusetts in three out of four cases gave its whole vote for the re-election of the Virginia presidents — Washington, Jefferson and Monroe. She would [have given] it also to Madison but for the pressure (a heavy one) of the embargo and war. But even then — under that tremendous pressure — the venerable patriot J. Adams put himself against the current of exasperated feeling, and would have voted for him but for that pressure.

On every point we gain. Last night at nearly ten, after more than a fortnight's discussion, we carried by a majority of seven an amendment to the resolution, which then passed unanimously (on the final vote). I mean the resolution of retrenchment. The whole debate has been a sore thing to the opposition. They know there is no more to be said against this than against other administrations, and they do not wish the people to know it. But we say they shall know it. Let me hear from you. With great respect, Dear Sir, yours in truth,

J. Bailey.

From John Bailey.

Washington, 8 March, 1828.

Dear Sir, — I pray that my silence may not be judged severely, for we are overrun with all sorts of business — tariff, internal improvements, Meade,[1] Jackson, etc., etc., all press on us, and we have scarcely time to be civil. Otherwise your favors of the 15th and 20th would have been sooner answered; especially should I have expressed the high satisfaction I had felt in conjunction with our friends here on the TRIUMPHANT passage of your excellent Resolutions.[2] Though no one of common sense and information ever had a doubt of Massachusetts, yet we know what palpable

[1] Richard Worsam Meade (1778–1828), whose claim against Spain was urged for many years.

[2] See *Boston Patriot*, February 20, 1828. The resolutions endorsed Adams and Clay.

falsehoods will be circulated on the eve of an election, which people at a distance cannot know the precise character of. On this account I am heartily glad that you offered and that the House by so strong a vote sustained your Resolutions.

We are all full of hope. Excepting the trifling election in Franklin Co., Penn., every thing goes well, South, West and North, N. C. is doing excellently. The great battle is to be fought in Kent, in their State election in August.[1] That election is all-important — is the key to the grand result.

We have just begun on the tariff. The bill you are aware was framed precisely to defeat itself, as it will if not amended as Mallary has proposed. If that amendment should prevail, others, tho' less essential, will be attempted. Without the first, the bill is not worth having.

We hope to rise as early as May — it may be however late in that month.

My friend Mr. Lovering informed me Mr. Fuller intended to send me a copy of the B[oston] & Prov[idence] Railroad Survey. If you should see Mr. F. and he should not be able to furnish me, I should be very much obliged if you could procure and send me a copy. I have received copies of the other Survey doc'ts. Yours in truth,

JOHN BAILEY.

P. S. Since writing the above I have received the B. & Pr. document.

JOHN BRAZER DAVIS TO JOHN BAILEY.[2]

BOSTON, 4th April, 1828.

DEAR SIR, — Your valued favor of the 8th has laid by me unanswered, because I had nothing of interest to communicate. Our approaching election recalls attention again to politics, after having been, now for a month, directed to matters of a more immediate, if not of so exciting and absorbing interest.

If you read our newspapers, as doubtless you do, you will perceive that we are suffering from a want of a proper organization. In almost every county, there is a multiplicity of Senatorial tickets, almost all, professedly at least, in favor of the administration and yet the effect is to divide the vote and perhaps defeat the election of the right man.

Governor Lincoln will be re-elected, almost without opposition.

[1] There is no Kent in North Carolina, and the reference is not sufficiently clear to determine what state is intended.

[2] From the Washburn Collection, II. I. 21. f. 46.

He is too strong to be shaken. If there is to be an organized opposition to him it is a secret one.

In this County, the administration ticket for Senators, I hope and believe, will prevail. I shall do what I can to help it. If I feel well enough, I mean to put "harness on my back" once more, and break another lance at Old Faneuil Hall on Sunday evening. I had resolved not to make another Caucus Speech, as I have already made some half dozen or so, three at least in the preparatory arrangements for the last Presidential Election. But on the present occasion, I cannot hold back; if, as my friends say, I can, by my poor efforts help a just and honorable and patriotic cause. If I am well enough, I mean even at some little hazard, to raise my voice again in the "Old Cradle." Do you remember the meeting at "Old Faneuil Hall" on February 14th, 1824? It was a stormy night out of doors, but we had a grand meeting in doors, and we nominated John Quincy Adams with a voice that told New England in language that she both understood and felt, to be true to herself. She *was* true to herself; she *will be* true. If defeat be in store for her, which it is not, let her be able to say, as Francis First said after the Battle of Pavia, "We have lost everything *but our honor.*"

I spoke of my health not being good. I worked myself too hard last winter and that combined with an influenza, gave me a pain in my chest, which however is now wearing off. Exercise, good air and fine weather, will I hope, work its cure. They are my medicine and my *doctor too.*

You have despatched the Tariff and I hope you will despatch the session soon. I don't see that the nation is to be benefitted by a prolonging of your labors. But I forget myself! It ill becomes me, a humble individual, to express an opinion on a matter, which depends on the "congregated wisdom" of the Nation. I have the honor to be, Very resp'y, Your friend and most ob't Servant,

J. B. Davis.

From John Bailey.

Washington, 10 May, 1828.

Dear Sir, — It gave me great pleasure to hear from you that you were determined to engage in our Spring elections with whole soul; and it gives me very great pleasure to find the elections have terminated so favorably. To-day I have your Boston nomination for Representatives, and have particular pleasure in seeing your name on the list. I presume the ticket will be carried by a strong vote.

The great measure of the Session — the tariff — is still under discussion in the Senate. Its fate is uncertain, though *probably* it

will pass. The question it is not very improbable may be decided by the votes of Messrs. Webster and Silsbee. This state of the question places them in a peculiar and not very pleasant attitude. To vote for the bill, is to vote for some provisions which they must disapprove; and yet to vote against it, is to expose themselves, and through them the administration, to the charge however unfounded of being opposed to the protection of our manufactures. This is an embarrassing position, and requires all the wisdom and discretion which eminently belong to them. The amendments adopted already by the Senate make the bill decidedly better than it was when it passed the House; but still it has points wholly objectionable. The bill was engendered between the avowed anti-tariff men of the South, and the *professed* tariff Jackson men of the middle states, and framed most pointedly so as to bear heavily and injuriously on New England, in the hope that it would thus be defeated. The monstrous birth however could [not] preserve all its original odious features. It was so outrageous to the honest feelings of our nature, that its parents were obliged to yield in part, and allow it to lose a portion of its deformity — just enough to make it a matter of doubt whether its continued existence be more or less an object of desire than its death outright. A few days will probably determine its fate.

Let me hear from you, especially how sentiment stands in relation to our votes on the tariff. We have agreed to adjourn on the 26th. I shall not probably start for Dorchester before the 29th or 30th. With great respect, Dear Sir, your friend and servant,

JOHN BAILEY.

P.S. It may perhaps not be useless to have some view of [the] tariff question like the preceding appear in the papers to prepare the public mind for whatever result may take place.

J. B.

[*Blot.*]

P.S. No. 2. Pardon the above. I took up *the wrong glass* — the ink instead of the sand-glass — it was evening.

J. B.

FROM JOHN BAILEY.

WASHINGTON, 3 June, 1828.

DEAR SIR, — Your favor of the 21st was received a few hours after the adjournment of Congress. You are right in supposing the vote in the House of Representatives on the tariff bill *as passed* would have been very different from the one given.

The organization of the two houses is very well (I have not seen

how the Senate vacancies are filled) — though, without any unfriendly feelings towards Mr. Calhoun, I should have been truly happy if Mr. Fuller had been chosen. His talents, experience, and whole character deserved it.

I am waiting here the arrival of my brother-in-law from the West Indies, Dr. Judson with his wife, where he has been for his health. We have looked for them every day for ten days past, and shall wait a few days longer, much to my regret.

Will you have a decision this session on the B. & Prov. rail-road? I feel much interest in the general subject, and some in the *route*, the eastern one passing near me. I *hope* that route will be deemed the better.

We have but little news here since the scattering of the flock. I hope soon to see you in person. With great respect Yours,

J. Bailey.

Mr. Clay it is expected will soon visit home. The President *hopes* to do the same during the season. Mr. Barbour will probably sail in eight or nine weeks. General Porter is expected soon.

J. B.

F. Sales [1] to John Brazer Davis.

[September 25, 1828.]

Dear Sir, — I send you enclosed a Translation of a Letter [2] written by Señor Vidaurre made by a pupil of mine, and which on a comparison with the original I have found as faithful as can be made. The expression of *pottle-bellied* is the only one that sounds disagreeably to my ear though true, should you think of a more delicate expression you will please to alter it, as also any other phraseology which you may judge best without altering the sense.

The said Señor Vidaurre has given me leave to have it published and even with his own name if it is thought proper. Should you determine to give a place in your paper to this valuable description of Bolivar you may make an honourable mention of the Writer as one of the most illustrious patriots, statesman and jureconsuls in South America: who has been Chief-Justice in Peru, President of the Congress of Panama, Minister of Foreign relations in the said Republic and Member of the Constituent Congress for the city of Lima. He is really a great man and a true republican in my humble

[1] The *Boston Directory* for 1828 gives the name of Francis Sales, teacher of languages and keeper of a bookstore, at 35 Washington Street, residing at 13 Franklin Street.

[2] The letter, dated Boston, September 15, 1828, and signed M. L. Vidaurre, is printed in the *Boston Patriot*, September 26.

opinion; and I regret that his productions are not understood in their original garb in this country, for by translating them they lose a great deal of their force and beauty. He is really a genius and hope he will soon be restored to his native country for its glory, prosperity and happiness. He is in my mind compared to Bolivar what John Quincy Adams is compared with our Chieftain.

He is very much pleased with the distinguished notice taken of him in this country and certainly it was never more deservedly bestowed. I suppose you know him, therefore I will cease saying any thing more about him; only I request in case that you should publish said Letter that you would first peruse it carefully and make its reading as much better as you can, and write a little introduction in such way as you judge best. Yours sincerely,

F. SALES.

Excuse the scrawl.

FROM JOSEPH E. SPRAGUE.

SALEM, Sept. 27, 1828.

DEAR DAVIS, — There is one thing of importance which I wish you would attend to. Our electoral returns are to be scrutinized by unprincipled enemies. At the last election almost all the returns were irregular and defective. Ours in Massachusetts was complimented for its accuracy. It was drawn by Webster with great care. Why can't you get a copy from Bangs [1] and publish immediately in your paper, and to insure safety if you will strike of[f] on separate paper some thirty I will send duplicates to every friendly electoral College in the Union. Your friend,

J. E. S.

I send you the *Ariel*. return when you [have] done with it.

FROM ISAAC MUNROE [2]

BALTIMORE, Nov. 21, 1828.

MY DEAR SIR, — At the time I received your acceptable favors I was so much engaged in the political tempest that I could not

[1] Edward Dillingham Bangs (1790–1838), secretary of the Commonwealth (1824–36).

[2] Isaac Munroe (1785–1859) was born in Brighton, Mass. With David Everett he wrote *Common Sense in Dishabille*, and was the founder and first printer of the *Boston Patriot*. In 1811 he removed to Baltimore, and established the *Baltimore Patriot*.

find a moment to give answer. But that is past and the day, to us, is lost. You have seen how the election terminated in Maryland. The Adams party did their best; 60 more votes in the upper district would have given us two more, making eight, and as to this district, more than 500 illegal voters were introduced from *the county* which borders on the city and is *the den* of Jacksonism. The great moral force of the city is decidedly with Mr. Adams, but the *lower classes*, of whose depths of degradation, you can have no idea, and who will dance days and nights, and shout and yell around a hickory tree, with as much beastly vulgarity as the worst of the Savage tribes of the forest at a Council fire, of such materials as these our demagogues of the day have laid hold and with inflammatory speeches, bull feasts and whiskey have stimulated them "to go the whole hog" for their grim Idol. When it is considered with what we have had to contend it is surprising that we did as well as we did. But even to have gained all would have been of no avail. In the final result I am neither disappointed nor cast down, for for the last six months I have been prepared for the worst. I hope from this time forward the New-England States will go *in one solid column* — they must see that *no* son of theirs will ever receive a Southern[1] vote. If you remain united your vote will always command respect, but once divided and you at once "become hewers of wood and drawers of water," and form a mere tail to the kite. I hope our friends will not become frightened with their threats about turning out of office, etc. Some changes will probably take place, but the *cut throat* policy wished and called for by the hungry cormorants who fight for plunder, will not be carried into effect. Here we ask no favors and put them at defiance.

I was not a little surprised to find you at the editorial desk again. I thought the law would be more congenial to your habits. I observe you contemplate an enlargement. In this I would advise you to be cautious, it entails a heavy and lasting expense which is rarely requited by the public. In looking at your sheet I should say, were you to widen each column an *n* and make them half an inch longer, the same paper you now use would answer, but should you go larger, then you will have to pay at least 50 cents more in the ream, perhaps a dollar, besides an extra hand to be employed, thus creating an additional expense of $1000 or $1500 per ann. for which you will get no return. Adopt the first plan I mention, get a type with a *small* body and *full* face like the *N. Y. Post;* money will be saved and every thing desirable will be realized. It is the *quality* and not the *quantity* the public mostly look at.

[1] I mean south of the Potomac. *Note by Munroe.*

Should you at any time between this [and] spring be disposed to part with an interest in the *B[oston] P[atriot]* and should deem me an acceptable associate, I should be strongly tempted to join you, as I have a fair chance of disposing of my interest here to considerable advantage, to Mr. Lewis late of the *York Recorder*, who has come to reside here. I have always contemplated to return to the "land of the pilgrims," sooner or later; and should something of this kind present, the time may be accelerated. I observe several editorial changes have been made in your city — most probably for the better. I should be glad to hear from you on the subject I have mentioned and also as to the standing and prosperity of the Boston newspapers generally; and be pleased also to honor me with your views of National politics.

As I am writing in the parlour amid a confusion of tongues you must excuse incoherency. Mrs. Munroe joins me cordially in respectful regards to you and your better part. Very truly yours,

ISAAC MUNROE.

I am truly surprised at the great vote *Jackson* got in N. H. Unless the greatest caution and vigilance is observed, *Hill* will have control of the State next year — himself the Governor!

I have just read the full account of the dinner to Major Ben.[1] I should like to have been present, it must have been lively.[2]

Woodbury [3] is *talked of* here as Secretary of the Navy — Cheves [4] for the Treasury, also Tazewell [5] — Drayton,[6] Hayne,[7] Eaton [8] and Benton [9] for the War — Livingston [10] and poor old Crawford [11] for the State — Jona. Russell[12] and Wm. King[13] for Collector of Boston.

[1] Benjamin Russell, long senior among the newspaper men in Boston. "The dinner was served up at the Exchange in Col. Hamilton's usual style of excellence, and hilarity and good feelings were the order of the day. Mr. R. retires to private life with the sincere good-will of those, who were his former associates in an arduous and responsible profession." *Boston Patriot*, November 17, 1728.

[2] For some speculations by a Massachusetts man upon the Cabinet, after the appointment, see Francis Baylies, in *Proceedings*, XLVI. 328.

[3] Levi Woodbury.

[4] Langdon Cheves.

[5] Littleton Waller Tazewell.

[6] William Drayton.

[7] Robert Young Hayne.

[8] John Henry Eaton.

[9] Thomas Hart Benton.

[10] Edward Livingston.

[11] William Henry Crawford.

[12] Jonathan Russell, who had suffered in his controversy with John Quincy Adams and his lawsuit against Seth Hunt.

[13] William King.

From Harrison Gray Otis[1]

Beacon St., Dec'r 12, 1828.

To the Editor of the Patriot, Sir, — I am informed though not officially that at a very respectable meeting of my Fellow Citizens last evening it was determined to support me as a Candidate for the Mayoralty of this City. I hope that in tendering my respectful thanks to the gentlemen who composed that meeting, for the honor done me, I may not be considered as merely complying with ceremonial forms. My gratitude is as sincere and profound as it could be if the office were an object of my pursuit, or if I felt myself competent to its arduous duties. But it is too late for me to re-enter upon a career of public duty in an office requiring not only incessant occupation of mind but great physical alertness. I will not profess my inadequacy to the first of these claims, before it is detected by others, but I can not disguise the impediments to fulfilling the latter of them. My faculty of locomotion is occasionally impaired by lameness, and requires intervals of relaxation and repose to recruit it. In these intervals my feelings and the interest of the city would suffer. Mortification would be my portion and disappointment that of my supporters. Of this result I am so entirely persuaded, that no inducement — (not even my respect for the wishes of the gentlemen assembled and none more powerful could be felt by me) will encourage me to become a Candidate for the Office, or to enter upon its duties if chosen.

H. G. Otis.

D'r Sir, — You will oblige me by inserting this card, in your paper to-morrow. Respect'y your obed. St.,

H. G. Otis.

From John Bailey.

Washington, 18 Dec., 1828.

Dear Sir, — I have not written you earlier, because I could give you very little information of a *positive* character. We are now of the sect of *Quietists*, waiting and watching for the development of affairs. All of us agree that our policy is not at present to press, believing that very soon the majority will divide, and movements will be on foot for the *next* President. Mr. A[dams] is in very good health and very good spirits. The report that he will fix himself

[1] This letter appeared in the *Boston Patriot*, December 13, 1828. In spite of this announcement Otis ran, and was elected. Morison, *Harrison Gray Otis*, II. 251.

here is incorrect. He has taken a house *by the month*, intending to enter it before the 4th of March — say February — and not go to New England before April or May. He has a granddaughter born 2d inst. Mr. Clay is also in good health and spirits. Our Speaker[1] you see is in difficulty, and will not easily clear himself. He will scarcely be re-elected next Dec. A grand crowd from "the Patriot states" is expected to be here in February, but I think the parade on Gen. J[ackson]'s entree will be *omitted*, for wise reasons. We have now Gen. A. Smyth[2] *dissertating* on the Constitution. Let me hear from you. Respectfully your friend,

J. BAILEY.

FROM JOHN BAILEY.

WASHINGTON, 7 Jan'y, 1830.

DEAR SIR, — I learn to-day from Mr. F.[3] that the terms of Mr. A. would be $3. for a letter of his usual length, I believe about two-thirds of a column, and $5. for a longer kind. These are his terms for several other papers whose correspondent he is. Mr. F. says he is remarkably well qualified for the business, and he is confident he would give satisfaction. If you should think it desirable to have him on these terms, I shall be happy to hear from you to that effect.

I find there were few if any nominations of *recess appointments* made on Tuesday. They probably will not be till the Virg[inia] Senators arrive. Many of the Jacksonians are very sore about Baldwin's appointment.[4] Ramsey of Pennsylvania[5] — a warm partizan — sits by me in the house. Yesterday when he took his seat I said to him, "Well, your friend Baldwin is nominated." "*My* friend?" said he, "no; *your* friend — it is *your* friend Baldwin."

Arnold[6] finished his speech to-day. To-morrow Lea[7] speaks. I do not expect A. will succeed, though I think he has more in his favor than he had at first.

The judiciary bill is postponed, on account of the contested election. It's fate is uncertain. Yours truly,

J. BAILEY.

[1] Andrew Stevenson (1784–1857).
[2] Alexander Smyth (1765–1830). He came to Virginia from Ireland in 1775.
[3] Peter Force?
[4] Henry Baldwin, of Pittsburg, who succeeded Justice Bushrod Washington on the Supreme Court. See *Proceedings*, XLVI. 337.
[5] William Ramsey (1779–1831).
[6] Benedict Arnold, of New York.
[7] Pryor Lea (1794– after 1847), of Tennessee.

From John Bailey.

Washington, 19 Feb., 1830.

Dear Sir, — Will it be an apology for my long delays to answer several points in your last letter, that I have many others of *earlier* date yet unanswered? I fear it is a poor one. Perhaps a better one will be to appeal to your knowledge of the thousand and one avocations that every day presents to one situated as we are here.

Before this reaches you, you will have seen the rejection of L. Williams 34 to 11 — supposed to be from the strong appeals made to the Senate on old party grounds. A motion has been made to re-consider — its fate uncertain. This is the *only* rejection that has been made, though enough has been done to indicate that some others *will* take place — Lee[1] it is fully believed — Henshaw,[2] Hill,[3] and Kendall,[4] etc., it is *hoped*. The late and still existing debate on Foot's resolution[5] has tended rather to *combine* the two portions of the majority.

You ask if we of the Minority do not omit organization too long. I think not. I think the chance of gain from the course is greater than that of loss.

In relation to Troup's absence, I believe the cause assigned was the real one — the death of the female who had charge of his family of children, which rendered his presence very necessary.[6]

The jarrings of the Cabinet are *composed* (not *healed* I presume) for the present. It seems to me impossible that harmony can long continue, even ostensibly.

So Rail-roads in Mass'tts are dead. Why cannot individuals unite and get incorp'd for constructing one from B. to Providence. I do believe it would be a good investment. It ought to be made with some reference to a branch to Taunton.

Will Morton make a formidable fight? Yours truly,

J. Bailey.

From Seth Sprague.[7]

[March, 1830.]

Dear Sir, — I understand the Republican convention have nominated Doctor Arad Thompson[8] of Middleborough and Solomon

[1] William Lee, son of General Henry Lee of Virginia.

[2] David Henshaw, of Massachusetts, collector of customs at Boston. *Proceedings*, xlv. 171.

[3] Isaac Hill (1778–1851). [4] Amos Kendall (1789–1869).

[5] Which gave rise to the Webster-Hayne debate.

[6] Ill health he gave as the reason, and wished to resign. Harden, *George M. Troup*, 508.

[7] (1787–1856), best known for his speech of reception to Webster at Marshfield.

[8] (1786–1845). See Weston, *History of Middleboro*, 240.

Lincoln Jr. Esq. of Hingham for Senators. I am pleased to learn that Mr. Thompson is an Adams Republican and Lincoln you know is not a Jackson man. They are both men of the first respectability. Mr. Thompson I am well acquainted with and he is really an excellent man highly esteemed by his acquaintance for his modesty and moral virtue celebrated as a Physician and will do honour to the country if elected. I am pleased with the selection. I had some fears, but am told they had a large and respectable convention. I hope you will treat the nomination with candour and liberality. I am doubtful whether the National Republicans had a single Republican of the Old School at their convention, their chairman I am not acquainted with. Yours with much respect and unfeigned regard.

S. SPRAGUE, JR.

I see the *Daily Advertiser* has a communication attacking Peleg Sprague.[1] I should like it if you would give Mr. Hale a little *editorial* rebuke. Yours,

S. SPRAGUE.

FROM JOHN BAILEY.

WASHINGTON, 9 April, 1830.

DEAR SIR, — Your favor of the 5th with the votes of Boston, etc., as well as a previous one giving early returns of the New Hampshire election. For both of them I thank you. They both gave information in anticipation of the regular accounts, and were highly acceptable.

Of news here we have not much. The nominations are hung up for the present, and I am happy to have very strong *hope* that such nominations as Hill, Kendall, Noah,[2] Henshaw, etc., will be rejected. Time alone however can test. The Indian discussion has commenced in the Senate. Frelinghuysen[3] has gone largely and ably into the subject, in reply to a very inconclusive speech of Judge White of Tenn.[4] M'Kinley[5] has commenced a rejoinder, avowing the broad principle (if I understood on five minutes' attention) that the Indians have *no rights*. Georgia is the *Sovereign*, and therefore may do just what she pleases, though he thought doubtless humanity might come into the business, yet this is wholly at her option. Most probably the House will not take up the

[1] (1793–1880). He was United States Senator from Maine (1829–35) and a brother of the writer of this letter.

[2] Mordicai Manuel Noah (1785–1851).

[3] Theodore Frelinghuysen (1787–1862), of New Jersey.

[4] Hugh Lawson White (1773–1840), of Tennessee.

[5] John McKinley (*d.* 1852), of Alabama.

subject till the Senate shall have acted. *We* are toiling on the Buffalo & New Orleans road, but find it heavy work.

The affair of the *Telegraph* and *New York Courier and Enquirer* is an index of what all have believed must sooner or later happen. It has now gone so far that retreat is scarcely possible. No overt fact has shown a participation of the *principals* either in the publications or the feelings necessarily resulting from them. Yet it cannot be doubted in either respect. Nor can notoriety be long withheld from the latter. In the mean time it is *our* course to avoid systematic efforts as long as possible. I do not think we have yet lost by inaction. We have now from five to seven weeks — more probably the latter.

I had got thus far when, listening to a debate in which Cambreleng,[1] Drayton [2] and Martin [3] were engaged relative to a Charleston hospital. A member from North Carolina sitting by me said, "Do you see when a subject relating to South Carolina or New York comes up, what bitterness there is shown?" This is mentioned only as a "sign of the times."

I am heartily glad that Lincoln will be elected by a strong vote. Let me hear from you. Yours,

J. B.

P.S. April 10. To-day an incident like that of yesterday occurred. A Resolution from the Military Committee calling on the Secretary of War to report to the next Session a plan for reducing the officers of the army was supported by Desha,[4] Polk,[5] Drayton, etc., and opposed by Cambreleng. The hour expired, and it lies over.

From John Bailey.

Washington, 24 April, 1830.

Dear Sir, — The great question respecting the Indians was taken in the Senate to-day. Frelinghuysen's amendment (going to the *protection* of the Indians) was negatived — 20 to 27. Hendricks,[6] Noble,[7] and Johnston [8] (Indiana and Louisiana have Indians) were the only friends of the late adm[inistratio]n who voted in the ma-

[1] Churchill Caldom Cambreleng (1786–1862), of New York.
[2] William Drayton (1776–1846), of South Carolina.
[3] William D. Martin (1789–1833), of South Carolina.
[4] Robert Desha (*d.* 1849), of Tennessee.
[5] James Knox Polk (1795–1849), of Tennessee.
[6] William Hendricks (1783–1850), of Indiana.
[7] James Noble (*c* 1790–1831), of Indiana.
[8] Josiah Stoddard Johnston (1784–1833), of Louisiana.

jority — Barnard [1] the only Jacksonian in the minority. Woodbury, Sanford,[2] Dudley [3] and Dickerson [4] were the only Senators northeast of Virginia, Kentucky and Indiana, who voted against the Indians. General Samuel Smith absent.

I have strong hopes that the House will interpose the protecting arm of the nation in support of public faith.

In the House the impeachment of Judge Peck [5] has been voted by more than two-thirds. Yours in haste,

J. BAILEY.

FROM JOHN BAILEY.

WASHINGTON, 22 May, 1830.

DEAR SIR, — I ask of you the favor to send my paper to Milton P. O. after the paper of Wednesday the 26th.

Noah is here, and has been to-day nominated again to the Senate. He has been here about a week. Whether he and the President have gained over one of the 25 or not, I do not know. Tazewell, who voted against him, is absent for the session, leaving 24 to 23. Marks [6] has been ill, but has been in his seat to-day. No nomination yet in Hill's place. What is to be done is a subject of speculation but not of knowledge.

On Monday we shall again take up the Indian bill, and shall probably take some decisive question on that or the next day. It will be a *very* close vote. We have strong hopes of success, but still are in danger of defeat. If we succeed, it will most probably be by adopting Hemphill's [7] amendment. Yours in truth,

J. BAILEY.

FROM JOHN BAILEY.

WASHINGTON, Sunday morn'g, 4 o'clock,
30 May, 1830.

DEAR SIR, — We have been in session since ten o'clock yesterday morning, except a recess from four to six P. M. Since ten o'clock in the evening we have had to contend for every inch against a most determined effort of the minority to delay by every possible motion to adjourn, lay on the table, call the house, etc. — calling for the ayes and noes on every occasion. We have had during the

[1] Isaac D. Barnard (1791–1834), of Pennsylvania.
[2] Nathan Sanford (1777–1838), of New York.
[3] Charles Edward Dudley (1780–1841), of New York.
[4] Mahlon Dickerson (1770–1853), of New Jersey.
[5] James H. Peck, of the United States District Court in the state of Missouri. He was tried but acquitted.
[6] William Marks (1778–1858), of Pennsylvania.
[7] Joseph Hemphill (1770–1842), of Pennsylvania.

time several very important bills in hand; among them the Massachusetts Claim bill, the tonnage bill, the light-house and harbor bill, etc., etc. We have passed them all. The yeas and nays on Massachusetts Claim are ayes 86, nays 22 (taken this moment).

The Massachusetts Claim bill is changed from that of the Senate, making it similar to the one reported a few years ago, providing that the claim be referred to the accounting officers of the treasury, and that it be paid when the troops were not too many, were called out on invasion or well grounded apprehension of it, were called out by United States authority, or afterwards recognized, etc.

Excuse extreme haste. Yours,

JOHN BAILEY.

P.S. The amendment goes to the Senate, but will doubtless be concurred in.

FROM JOHN COLLINS WARREN [1]

BOSTON, June 21, 1830.

DEAR SIR, — Agreeably to your request I send you some papers relating to dissections. The Ms. is a concise history of Anatomy — which I thought you might be desirous to look over; as affording a view of the groundwork of the subject.

It gives me great pleasure and will to the whole community to find that you take an interest in this subject, of such vital importance to the welfare and honour of our community.

Should we succeed in getting the study legalized in this State, it would raise us high in the estimation of the Philosophical world in this country and abroad. With great respect Yrs,

J. C. WARREN.

Be so kind as to return the Ms. when you have done with it.

The others it is not necessary to trouble yourself to return. In the last *Quarterly Review* but one; and in the last *Christian Examiner* are valuable papers on the subject.

FROM WILLIAM WOLCOTT ELLSWORTH.[2]

HARTFORD, July 22d, 1830.

DEAR SIR, — I have this morning received a circular, from Boston, with your name attached to it, with others. I am truly happy to see

[1] (1778–1856). In 1830 an application was made by the Medical Society to the legislature to permit dissection, "and an extensive and valuable Report was prepared by John B. Davis, Esq., and read before the House of Representatives." Warren, *Life of John Collins Warren*, I. 410.

[2] (1791–1868).

this movement and will early inform you of what is done here. At present, I can only say that *three* if not *four* of the Newspapers of *this City*, out of *five*, have nominated Henry Clay; who is, beyond all questions, the most prominent and promising candidate in this region. Our State politics are in such an unsettled condition that I can't now say what may be expected. There is I trust a great majority opposed to the Administration. With great respect, Your Humble Serv't,

WM. W. ELLSWORTH.

FROM DUTEE JERAULD PEARCE.[1]

NEWPORT, July 23d, 1830.

DEAR SIR, — Your favor of the 19th I have received. A Great Majority of the people of this State, is opposed to General Jackson, and his administration, and it will so appear whenever there is an organized opposition to that administration. We have, however, experienced great embarrassments from not having our candidate in the field, which will increase until Mr. Clay is placed properly before the people. Further delay may be dangerous. It is time the ball was put in motion. Although the people of this County will not be behind their neighbours, it would be better to begin the work in this State, in the County of Providence, the most populous county in the State. You can hereafter address me and Nathaniel S. Ruggles, on any subject connected with an opposition to the present administration. I have nothing of importance to communicate. The newspapers generally furnish us with favorable indications. The West will as I think do well. We have much to hope for in New York. I have not yet seen in Pennsylvania such evidences of changes as I could wish. Very respectfully yours,

DUTEE J. PEARCE.

ISAAC MUNROE TO A. H. EVERETT,[2] N. HALE,[3] AND J. B. DAVIS.

BALTIMORE, July 23, 1830.

GENTLEMEN, — I have just received your letter of the 19th, and hasten to reply as you desire. I can assure you that the friends of Mr. Clay in this State are not unmindful of the importance of concert, organization and action, to secure his success, at the next election. We have now on hand an important election which takes

[1] (1789–1849).

[2] Alexander Hill Everett (1792–1847), editor of the *North American Review*.

[3] Nathan Hale, editor and proprietor of the *Boston Daily Advertiser*. See 1 *Proceedings*, XVIII. 270.

place the first Monday in October next, which turns entirely upon the question — *Jackson* or *Clay*. We have now, as you probably are aware, a Jackson Governor, Council, Senate and House, and all the offices in the State of the least importance, are now held by Jackson men. To prostrate, at a blow, such a host, is no ordinary work, and on the face of things, it looks rather appalling, but we shall go to work — aye, we are at work in good earnest, *and shall demolish the whole fabric!* Yes, unless something occurs more than can possibly now be conceived of, the Clay party in Maryland will triumph in October by a most decisive majority. We have the very best accounts almost daily from all parts of the State, which fully authorise me to give you this assurance; and I do not know a Jacksonite in this city who dares to hazard anything to the contrary. Yet they are called upon from head-quarters to make a struggle, and this call they will obey, but to no effect. Our friends are alive to the evils that have already been inflicted upon the country, and are determined to put an end to the calamity in this State at least.

So far as Maryland is concerned, deeming this as of the *first* importance, we are pretty well organized and the system is completing. At the meeting of the Legislature (and perhaps before) in December, a complete organization will take place with regard to *the Presidency*, and you may set down Maryland as decided for Mr. Clay. Besides the revolution in public sentiment, counties will go for him that could not be induced to go for Mr. Adams, particularly three of the Western counties, say Frederick, Washington, and Alleghany. I give you now this hasty outline, and, expecting shortly to be in Boston, it will then afford me pleasure to give you any details that you may desire.

I shall lay your letter before the friends of the cause in this city, and it will also be imparted to many of our friends in other parts of the State. To find their efforts so fully sustained by Massachusetts, will present a cheering incentive to increased exertion. I am very truly and cordially your friend and fellow-laborer,

ISAAC MUNROE.

P.S. I have written in the midst of *newspaper* avocations with the thermometer at 93 and rising.

WILLIAM JARVIS [1] TO A. H. EVERETT, N. HALE, AND J. B. DAVIS.

WEATHERSFIELD, VT., July 24th, 1830.

GENTLEMEN, — I have been favored with your Circular of the 19th Inst. and was highly gratified to find, that my fellow-citizens

[1] (1770–1859). See *Appleton's Cyclopædia of American Biography.*

in Massachusetts were so much in favor of the election of that distinguished, able, upright, and straightforward statesman Henry Clay. Being opposed upon principle to the election of a headstrong military man to the chief magistracy of this union, who by his previous public life had clearly shewn that, neither the Constitution, or the laws of his country, nor the instructions of the Government were any barrier to the pursuit of such measures as his own arbitrary will or his vindictive temper had suggested to be expedient, I was still in hopes that he would select such a Cabinet as might keep his temper under some restraint and one that would recommend only such measures as were calculated to promote the well being of our country; for, otherwise, I felt persuaded that his election would be fraught with the greatest mischief to the purity of our republican institutions. But, so far from my hopes being, even remotely, realized, it appears to me that his Cabinet have been the advocates of, or have tamely fallen in with his views; and that the only evidence of mental powers which they have evinced, have been in a cunning course of management and intrigue, and an artful sophistry calculated to gloss over their selfish, vindictive, corrupt and corrupting policy.

To relieve our country from such an administration must be the ardent desire of every American who wishes to hand down to his children the blessings of the free institutions which we derived from our fathers. The talents, integrity and patriotism of Henry Clay eminently point him out as the man on whom public opinion must concentrate to accomplish this desirable object. But, did I not entertain the highest opinion of the talents and sound judgment of yourselves, and the many distinguished men who immediately surround you, I should have had my doubts whether, under the existing hostility of the South to New England interests, and the coldness, at least, of the Middle and Western States towards us, if not some latent prejudices against us, it would not have been more prudent to have let this movement come altogether from the Western or Middle States, and we to have appeared as only following the track which they pointed out as being in accordance with our wishes. But I beg you to be assured, Gentlemen, that, whatever my age and infirmities will allow me to do, to forward so desirable an object, I shall cheerfully undertake.

In reply to that part of your letter requesting me to communicate to you "the state of public sentiment on this great national question" in this state and vicinity, I can with pleasure assure you that in this County the voice of a very large portion of our freemen is decidedly in favor of Mr. Clay. The population of this County[1] is

[1] Windsor County.

about 38,000, and I am persuaded that neither Jackson, Calhoun nor Van Buren could obtain 1,000 votes for President, nor do I believe 500. We have, however, a pretty numerous body of anti-masons who are generally opposed to the present administration; but who would not give their votes to Mr. Clay if he is a mason; but if not I think he will have their united vote. This body, Gentlemen, I think ought to be attended to in New York, Pennsylvania, this State and wherever else anti-masonry has taken much foothold. Should Mr. Clay not be a mason, from what I know of the anti-masons in this State, I am persuaded, that by a conciliatory course of conduct, and some address, the whole of that party might readily be brought to his support, which I think to be an object well worthy of attention.

In Rutland County which is the next largest in the State, and where I have recently been, I find Mr. Clay to be decidedly the popular candidate, and I believe him to be the favorite candidate throughout the State, with the exception of some 20 or 30 towns where Jacksonism has a small majority.

Will it be better to organize a State Committee for the present, and sometime hence extend them to the Counties, and subsequently to the towns; or forthwith organize a Committee in each County and extend them to such Towns as are doubtful? You must be sensible that much more exertion will be necessary in wavering or doubtful Counties and Towns, than in those whose opinions are decidedly in favor of Mr. Clay's election.

The good work is going well on in Kentucky but I do not perceive much movement in Ohio, Indiana or New York. In Pennsylvania I apprehend the public mind is not at present sufficiently cured of their old prejudices in favor of Jackson to take any very decided stand in favor of Mr. Clay. Must they not be weaned from their misdirected attachment to a perfidious and cruel foster-father, before they will adopt another, even although that other is really friendly to their interests, feelings and wishes?

Appearances indicate that the feelings of Virginia in favor of her gifted son Mr. Clay may finally overcome her prejudices against the American system with the great mass of the people, notwithstanding the opposition of the high-flying politicians of the Richmond junto.

With the assurance of my high respect, I remain, Gentlemen, Your most obedient Servant,

Wm. Jarvis.

FROM ANDREW LEONARD EMERSON.

PORTLAND, 26th July, 1830.

DR. SIR, — I was much gratified to perceive by the receipt of the Circular from you, that a *system* of operations for the next Presidential Election was already commenced. We have not yet appointed any Committees of Correspondence, all our attention being engrossed by the preparation for our State Elections in September. We will however seasonably attend to that subject, and in the mean time, any information you may want will be cheerfully furnished by me and others of our friends in this town.

We have not been unmindful of the proposal to nominate Mr. Clay at our State Convention and have frequently discussed the expediency of the measure; but we differ in opinion on the subject. There are two objections to the step at this time, which induce some to think it inexpedient; its effect on our State Election, and the effect on the measure abroad, if we fail in this State. The parties are about equal in this State, and many of our warmest friends, particularly in this County, are opposed to the American System; in such a situation it is not best to hazard any thing; if we were sure of prevailing here the measure would be politic, as it is, it *might injure us*. Again — if we nominate Mr. Clay and fail of carrying our State Election, the effect will be bad in other States and produce the impression that the State is decidedly opposed to him. These considerations have inclined me to believe that it will not be expedient to nominate him at present in this State. *If we re-elect* Mr. Huntoon [1] and have a majority in the Legislature, there is every reason to believe that this State will throw all (or nearly all) its Electoral votes for Clay; *if we fail* the reverse will probably take place. Our friends are resolute, active and sanguine of success, but I think the issue doubtful. There are many however, who think it will be well to nominate Mr. Clay at our Convention, and they may procure the adoption of the measure; I have also seen several letters from Massachusetts, urging the measure — among others one from General Dearborn and another from Mr. Sprague of Salem.

Any communications to Joseph Adams, Esq., Nathan Cumings, Esq., or myself will be attended to. Respectfully your friend,

A. L. EMERSON.

[1] Jonathan Glidden Huntoon (*d.* 1851), a native of Unity, N. H.

From Philip Richard Fendall.[1]

Washington, July 27, 1830.

Sir, — I have the honor to acknowledge the receipt of a circular dated at Boston on the 20th inst. and signed by yourself, Mr. A. H. Everett and Mr. Hale. In compliance with a request contained in it, I address this my answer to you.

No difference of opinion can exist among Mr. Clay's political friends throughout the Union on the expediency of immediate and concerted action in order to secure success to the great principles of which he is the representative; and they cannot but perceive with lively satisfaction that an early movement on this subject has been made in the great State of Massachusetts. The example set in a State so illustrious as she is in the Revolutionary and Constitutional history of our country, will inspirit the friends of our cause everywhere, and will, there is no room for doubting, be speedily and extensively followed. The recent popular movements in Kentucky have placed Mr. Clay before the People, in a manner at once the most impressive and the least liable to misconstruction. To give effect to the nomination thus made, the plan indicated by your Committee is, in the present state of things, indispensable.

A plan similar to that which your Committee desire to see put in operation had occurred so early as last summer, to the friends of Mr. Clay in this District, as deserving their attention. About that time they assembled, and appointed a Committee to correspond, at the proper time, with such other Committees as might be established throughout the country, with the same common object. Mr. Richard S. Coxe,[2] a distinguished member of the Washington bar, was appointed its chairman. I have handed to him the letter which I am now answering, and it will be laid before the Committee at a meeting to be held this evening for the purpose of receiving it. They will communicate their views in detail to you; and I need not therefore at this time say more than remark generally, that public sentiment in this District is warmly and by an overwhelming majority hostile to the present Administration and friendly to Mr. Clay. Such dispositions on the part of the People of the District are, though they have no votes, not unworthy of attention. The political centrality of Washington, its contiguity to several Congressional Districts in Maryland, and other considerations which will readily present them-

[1] (1794–1868). In 1829 Van Buren had dismissed him from the Department of State. He became a prominent lawyer at Washington and held office. His intention of writing a history of the Adams' administration (1825–1829) was never fulfilled.

[2] Mention of him will be found in Adams, *Memoirs*. In 1846 he wrote a *Review of the Relations between the United States and Mexico*.

selves to your mind, render it a point of importance. Our adversaries at the last Presidential election made good use of it; and it may be hoped that the efficiency of their "Central" Committee here may stimulate us to imitate their diligence as much as we eschew their principles. I am, Sir, with great respect, Yr. Obt. Servant,

P. R. FENDALL.

JOHN W. TAYLOR [1] TO A. H. EVERETT, N. HALE, AND J. B. DAVIS.

BALLSTON SPA, [N. Y.,] July 28, 1830.

GENTLEMEN. — At the last Presidential election, the northeastern quarter of the State of New York, gave to Mr. Adams its entire vote. The election of General Jackson, in its manner and triumphant majority, filled the minds of our friends with despondency and many were ready to give all up for lost. At our election last autumn, for Senator and Members of Assembly, nearly all the counties in the district above mentioned went against us. Our case appeared hopeless; and would have continued so to the present moment, had it not been for the folly, proscription and misrule of the present administration. But the People begin to be alarmed. Plain sensible farmers in their daily intercourse with each other are heard to say "Our liberties are in danger." "Jackson governs the United States like a conquered country!" "We must resist or our freedom is gone forever." "We may as well die fighting as to lie down in the furrow." I put these expressions in quotation because they are the very words used, and in some cases by those who were loudest in support of the Hero.

In regard to our candidate, public sentiment here is well united. It points clearly to Henry Clay. His principles are pure and manly. His talents of the first order are well known to the nation. Even his failings lean to the side of magnanimity, liberality and human rights. If elected he will be President in fact, and not a catspaw for intriguers. The battle has to be fought. On one side are the friends of the constitution, of real national independence, and freedom of opinion. On the other, the personal adherents of a man who has proved himself incompetent to the duties of the high station to which fortuitous circumstances have elevated him.

It matters not how soon our candidate is formally announced. As it was with Thomas Jefferson in 1798 so is it with Henry Clay now: He is the Republican candidate by general consent, and will be supported as such whether nominated or not.

We are no great hands in this quarter for public meetings. Our

[1] (1784–1854).

electioneering campaigns are short and sharp, but as we have to choose our representatives the first of November, it is probable we shall meet after haying and harvest is over to talk about our candidates and other public matters. Very faithfully Your obed. servt.,

JOHN W. TAYLOR.

FROM PELEG SPRAGUE.

HALLOWELL, [ME.,] Aug. 2d, 1830.

DEAR SIR, — I herewith send you the account of the proceedings of our State Convention of the 30th of July. The number assembled I have no doubt exceeded two thousand. All the Counties excepting Washington were represented. The feeling in favor of Mr. Clay was evidently very strong and decisive. The resolution with respect to him is not stronger than the general sentiment there exhibited, and will be cordially received by those opposed to General Jackson in all parts of the State. We shall have a vigorous contest this fall — our friends are confident of success — but I cannot but indulge some fears of the effect of the organization, discipline and activity of our opponents. I have omitted answering the letter of Mr. Everett, Mr. Hale and yourself until this time that the doings of the Convention might be communicated at the same time. I am very respectfully yours,

P. SPRAGUE.

FROM ANDREW LEONARD EMERSON.

PORTLAND, [ME.,] 7th August, 1830.

DEAR SIR, — I was much gratified on the receipt of your letter to perceive the interest which our Boston friends take in our election: I agree with you it is of very great importance that we should succeed and I have been devoting my unwearied exertions for that purpose. Notwithstanding my *fears* I *think* we shall conquer, but our strength is so equally balanced, that any remission of exertion on our part, even in one town, may be decisive against us. I have the misfortune of being Chairman of our State Committee, and consequently very great labor to perform: our friends in each County assure us of a gain, but they may be deceived, and we cannot yet estimate the effects of that History which is spread over the State. I am afraid of Oxford and Penobscot Counties, whose territories are large, and traversed only by Census-takers with their electioneering documents. The sinews of war are not abundant in those regions among our friends, who have no United States Treasury to resort to: Portland has already been burthened beyond her proportion, and has enough to do to look to this County. There are one or two Presses in a sinking state and require nutriment: you can know

nothing in Massachusetts of the many obstacles we have to contend with, where we fear danger in every step and yet must assume every appearance of confidence. A few judicious letters signed perhaps by your corresponding Committee (not a printed Circular) encouraging, urging and persuading, and directing their attention to the *importance* of our Election, may produce a favorable effect. Let there be nothing like dictation in them, and seal them in such manner that no Post Office spy can read the contents. I add the names of those to whom you may *safely* direct the letters. Wm. Clark [1] Esq. Counsell. at Law, Hallowell. Edward Kent [1] Esq., Bangor, Couns. at Law. William Emmons Esq., Augusta. Hon. Ebenezer S. Phelps,[2] Fairfield, Somerset Co. Hon. Solomon Parsons, Sebec, Penobscot Co. Wm. Stevens Esq., Belfast, Couns. at Law. Hon. Rewel Washburn,[3] Livermore, Oxford Co. Levi Whitman Esq., Norway, Oxford Co. Couns. at Law. James Osgood Esq., Fryburgh. Benj. Folsom [1] Esq., Eastport. Samuel M. Pond [1] Esq., Couns. at Law, Buxport. Timothy Boutelle [1] Esq. Couns. at Law, Waterville. Hon. Joseph Dane,[4] Kennebunk. Perhaps you, or some friend in Boston, may be personally acquainted with some one named; if so a letter from one acquainted will be better received. These secret confidential letters have a fine effect — do not neglect them unless too troublesome. I presume Mr. Sprague [5] and Mr. Holmes have been written to by Mr. Webster or some other of your eminent men; Mr. H. is zealous and active, a little *urging* will not hurt Mr. Sprague. I have answered your inquiries relative to sinews, etc.; you can see whether we need strengthening in the remote Counties. I may be in Boston next week, and if so will give you a call; I am very desirous to be absent about three weeks, and if I can get away will see you on my journey. Respectfully your friend,

A. L. Emerson.

From George Evans.

Gardiner, [Me.,] Aug. 19, 1830.

Dear Sir, — I am your debtor for one or two letters upon political affairs, to which the pressure of my engagements professional, political and miscellaneous, has prevented an earlier reply. As the

[1] These were members of the Maine House of Representatives in 1830.

[2] In the Maine Senate in 1830.

[3] (1793–1878), member of Congress, and uncle of C. C., Elihu B., and Israel Washburn — all serving in Congress in the succeeding generation.

[4] (1778–1858), a member of Congress in succession to John Holmes, chosen Senator.

[5] Peleg Sprague.

election approaches, the public feeling becomes more and more excited. So far as I am able to judge, there have been many more changes in our favor, than against us since last year — and if the whole people could be got to the polls, we should have a very large majority. The greatest difficulty we have to fear is, a remissness and apathy in this respect. Accounts from almost every part of the State are encouraging. The Jackson men doubtless brag and bluster a good deal — they are accustomed to this mode of warfare, and probably have occasionally gained votes by it — but their pretence of great gain in Penobscot and elsewhere is unfounded. It is now the time to come out with the facts relative to the Massachusetts claim, if you intend to do it at all. It ought pretty clearly to be shown, that by means of the travelling habits of the Cabinet, we shall be delayed in the receipt of our money, till after another Session — which I have no doubt is the intention of the Secretary of War. It is the plan of the Administration to keep as much money in the Treasury, until after Congress meet, as possible — to show as great a saving as practicable, and how much less money is spent now than under the last Administration.

What is the truth of the story via New Brunswick, that the West Indian ports are to be opened forthwith? It ought to be exploded, if it is a trick, as I very much suspect.

Our State Convention had an admirable effect, it went off well. So also our County Convention here. We are to have an address out tomorrow, which I think will fall like a bomb into the enemy's camp. It will make a devil of an uproar somewhere. Depend upon it, we are not idle — everything that can be done, will be done, and Maine will be saved. Very truly Your friend and ob't Serv't,

GEO. EVANS.

FROM R. H. CHINN TO A. H. EVERETT, N. HALE, AND J. B. DAVIS.

LEX[INGTON,] KY. August 27. 1830.

GENTLEMEN, — The circular which you were pleased to address to Colonel Quarles has been handed to me by him with the request that I as a member of the Committee of Correspondence would attend to its contents. The East will be met by the West in a most hearty co-operation of all fair and honorable means for the attainment of the objects proposed by you. In these degenerate days the ordinary channels of information are not to be relied upon and the plan suggested therefore becomes necessary. Without any gile I do declare my entire conviction that Ohio, Kentucky, Indiana, Illinois, Missouri and Louisiana will give an undivided support to Mr. Clay. Beyond all other indications that have manifested themselves there

is one which is observable to all who have passed through the valley of the Mississippi. That Hurra-spirit of Jacksonism, so powerful in its operation upon vulgar minds and which spread its poisonous breath over these United States, hath fled, and we hope forever.

Love of consistency induces many yet to adhere to an administration and a party whom they would had never existed, but their adherence is of the silent and inactive order and which does most generally precede a [c]hange.

There is one subject of interest in which Mr. Clay's friends here would be pleased to have your advice at this time. At our succeeding general assembly a Senator for Congress is to be chosen.[1] Ought Mr. Clay to be elected? It is a question about which there is much diversity of opinion here. It is not doubted but that he could be returned by a handsome majority. It would produce no disaffection amongst his friends here. He has no rival, and would have no competitor even in silence. Whether the effect would be salutary throughout the nation is the question. Whether he could serve the party best in or out of Congress? I doubt not he would be inclined to pursue the advice of his friends upon this subject.

We suggest to you the propriety of disseminating your circulars throughout the towns and villages in the West generally. From such individuals it presents itself in a more imposing character than any thing which might be originated at home. If it be necessary we could furnish you with the names of individuals who might be profitably addressed. Be pleased hereafter to address your communications to Robert Wickliffe Esqr. Counsellor at Law, Lexington, Kentucky, who is the chairman of our Committee of Correspondence. Very Resp'y Your friend,

R. H. CHINN.

FROM SOLOMON LINCOLN, JR.[2]

HINGHAM, Oct. 1, 1830.

MY DEAR SIR, — The politics of Plymouth County and Congressional district begin to assume an interesting aspect, and present indications are that we shall soon have a new and I trust a better state of things among us. The declination of Mr. Richardson[3] agreeably to his fixed determination, months ago, has opened the electioneering campaign full early for the harmony of the district. I have thought it might not be uninteresting to you to know some thing of our hopes and prospects at the ensuing congressional election, and

[1] In place of John Rowan (1773–1853). Clay was chosen in succession.
[2] (1804–1881). See 1 *Proceedings*, XIX. 381.
[3] Joseph Richardson (1778–1871).

of the views of those who, having acted with you, are desirous that the *Patriot* should be advised of our arrangements.

The project of sending Mr. Adams to Congress is not "children's play" but was thought of and considered well, before the *Courier* prematurely announced his name for the office.[1] *We* think him a good rallying point for those who wish to throw off the incubus of Jacksonism, to send an able man to Congress, and at the same time to compliment an abused patriot. With our federalism of the old-fashioned kind, clannish, selfish, and monopolising, with our old-fashioned republicanism, mingled with Jacksonism, with our anti-tariff and anti-Masonic parties to season the medley, we have in the Old Colony but little hope of being able to bring any of our politicians who have had much to do with parties recently, into the field for Congress, who can succeed. High above all our local prejudice and quarrels, free from our clannish and partisan politics stands Mr. Adams; and under his banner we are willing to meet.

But as there is no *organisation* of such a party in the County as will support Mr. Adams, our intention is to go to the old-fashioned Halifax caucus, and purify it by nominating Mr. Adams. We think, unless we are very much outgeneralled by our Jacksonians, [to] carry him there, and if we do not we shall secede and make a separate nomination, and appeal to the people. We have heard from many very respectable gentlemen in various parts of the County who concur with us in the opinion that Mr. Adams is the only man we can choose, and that it is desirable to give him a good democratic nomination to start with. Mr. Aaron Hobart [2] will have the favours of the Jacksonians. [Joseph E.] Sprague is not republican enough for them! Sprague goes with us. In these views all our leading republicans in Hingham coincide, and among others we have heard from Hon. Seth Sprague, Jr., Hon. Josiah Robbins, Jacob H. Loud Esq.,[3] Artemas Hale,[4] Esq. of Bridgewater, Col. Southworth of N. Bridgewater, Micah Pool Esq. of Abington, Daniel Spear Esq. of Quincy, Amon Robbins Esq. and Edward F. Jacobs Esq. of Scituate, Col. J. B. Barstow [5] of Hanover, James C. Doane [6] Esq. of Cohasset and others who fully approve of sending Mr. Adams to Congress and who will lend their aid for his support.

Col. J. B. Turner, a fellow candidate with myself last Spring, and

[1] Adams, *Memoirs*, VIII. 238, *et seq.*

[2] (1787–1858). See *Historical Catalogue of Brown University*, 97.

[3] Jacob Hersey Loud (1802–1880). See *Historical Catalogue of Brown University*, 135.

[4] Artemas Hale (1783–1864) served in Congress in succession to I. C. Bates.

[5] John Burden Barstow (*d.* 1854).

[6] James Cutler Doane, a shipmaster of Cohasset.

a leader in the Anti-Masonic party, has this moment said to me that he will do all he can for Mr. Adams.

The only suggestion which has occasioned any embarrassment is, whether Mr. Adams would accept if chosen. On this subject — I have no reason to doubt.

Mr. Adams will not be a candidate against any individual regularly nominated who thinks with him on National Politics, he will not be a candidate if the probability is, that he would receive a small vote, he will not be a *candidate* (*avowed*) of any party, but if handsomely chosen *he will accept.*

I have had no interview with *him* nor am I authorised to say that any one else has, but I am led to believe the facts are as above represented. I also learn that Mr. Everett thinks from a conversation had with him that *he would not decline.* These are all the facts thus far developed, and you may be assured that there is a settled determination to support Mr. Adams, let the result of caucus nominations be what they may.

Should we not be able to give Mr. A. a fair nomination at Halifax, he will be announced as the *people's candidate*, and we hope to carry him against every competitor. I also learn that Weston and others of *our* "Nationals" approve of Mr. Adams as a candidate.

I wished to put you in possession of these facts that you may understand the movements in the district.

Among candidates mentioned in the District in case Mr. Adams should not be a candidate the following have been mentioned under the following heads:

Republican
Seth Sprague, Jr.
Aaron Hobart

Jacksonian
Peter H. Pierce
☞Aaron Hobart

National
Thomas P. Beal
Nath'l M. Davis

Federal Jacksonian
William Baylies [1]

Anti-Masonic
Zechariah Eddy
Christopher Webb [2]
Nathan Laselle, Jr.
John B. Turner and a great many others.

This letter should be placed in your "receptacle of things lost upon earth." You will of course consider it as confidential, and help us if you can consistently. I am very respectfully Your friend,

SOLOMON LINCOLN, JR.

[1] William Baylies (1776–1865). *Historical Catalogue of Brown University*, 81.
[2] Christopher Webb (1781–1848), of Weymouth.

From Solomon Lincoln, Jr.

Hingham, Oct. 6, 1830.

Sir, — I am requested by the Republican Committee of Plymouth, the wishes of a majority of whom are expressed within, to ask you to publish in the *Patriot* of *Saturday next* the enclosed notice. It was originally contemplated to have the meeting on Thursday 14th October, and perhaps a circular to that effect may have been sent to you for publication, if so we wish that notice not to be published, and if it should be in your paper before you receive this letter discontinue it, notice the alteration, and publish the enclosed. The other members of the Committee will unquestionably approve of the alteration, when they learn the reasons which led to it.

Our object is simply this to have the earliest convention in the County and to purify our democracy of all its sins by endeavouring to give a handsome nomination to

John Quincy Adams.

These letters should be placed in your private bureau. Very respectfully yours, etc.

Solomon Lincoln, Jr.

Hingham Oct. 6, 1830.

Hon. S. Lincoln jr. Dear Sir,

Since we left Plymouth at the beginning of the week, circumstances have arisen which render it necessary that the Caucus should be on Tuesday the 12th instead of Thursday the 14th. We were two of the Committee, and having learned that Mr. Robbins who is in Boston is of the same opinion, you are requested to see that the Notices in the Newspapers are corrected accordingly.[1] Yours respectfully,

Jacob H. Loud
Wm. P. Ripley.

From Solomon Lincoln, Jr.

Hingham, Oct. 13, 1830.

Sir, — I enclose the proceedings of the Republican Convention at Halifax, which you are requested to publish in the *Patriot*.[2]

[1] "The Republican citizens of Plymouth congressional District are requested to meet in Convention at Pope's Hotel, in Halifax, on Tuesday, the 12th of Oct. inst. at 10 o'clock A. M. to select a Candidate to represent this District in the 22d Congress." The National Republican notice called for a meeting at the same place on the 13th.

[2] Printed in the *Boston Patriot*, October 16, 1830. See Adams, *Memoirs*, VIII. 242.

I have also enclosed a sketch of the proceedings of the Convention for publication if you please, on Saturday. The facts stated in it should be known and will guard against misrepresentation. You will perceive that we have dissolved partnerships with the Jacksonians.[1]

Mr. Adams was nominated to day with great unanimity at the National Republican Convention.

If you think it advisable to condense the statement which I send you, you will of course feel at liberty so to do and oblige your friend,

Solomon Lincoln, Jr.

From Abbott Lawrence.

[October 20, 1830.]

My dear Sir, — I think we should do well to have 200 more or perhaps 400 more of Appleton's Speech, for further distribution. I have written to Wm. P. Mason to send you an article tomorrow. Everett will send you something if you will call upon him. So will Blake. Some of the Committee should call upon Sturgiss. Fuller is at Cambridge and has not done it — it is very important. Colonel Perkins is not to be found. Will you drum up the Committee and look to this — before dinner. Yours truly,

Abbott Lawrence.

From Daniel Wells.[2]

Greenfield, Mass., April 3, 1831.

Dear Sir, — I received your letter late on the evening of Monday and was under engagements which rendered it necessary to leave this town for Northampton early on Tuesday morning where I was detained during the most of the week in attendance upon Court. On this account as I could not attend to the business myself, I passed the letter and papers over to E. Alvord Esq. who distributed all of the papers but upon enquiry did not think best to call a meeting.

The reasons which influenced this course were, that it could not be ascertained that there was any organized opposition to the re-

[1] John B. Turner was nominated, "not a Jackson man, but merely to divide the vote, and in the hope that the Anti-Masons, who are to meet next week, will vote also for Turner." *Ib.*, 243. The returns of the election, as first reported, were: "Twenty-two towns gave 2565 votes, of which 1817 were for John Quincy Adams, 373 for Arad Thompson (Jacksonite), 279 for William Baylies (federal), and 96 scattering votes." *Ib.*, 245.

[2] (1791–1854), chief justice of the Court of Common Pleas of the Commonwealth (1844–1854).

election of Governor Lincoln. We have with us considerable anti-masonry, but the leaders of the party are generally favourable to him. We are also threatened with a workingmen's party, which appears somewhat formidable, and which if it ever acquire consistency may be, probably will be opposed to him. But in its incipient state it does not feel strong enough to appear in opposition to him, and indeed several of the most stirring of the [*torn*], from peculiar circumstances in his favour I think you may be quiet in regard to this County. We shall do better I think than last year. The parties I have mentioned will be active in the Senatorial election but I think will generally cast their votes for Governor Lincoln.

I regret that your speech on state expenditures was not earlier published and distributed. It is just the thing that is wanted to allay the spirit of discontent which has appeared to a considerable extent in various parts of the Commonwealth, and which is eagerly seized upon by the ambitious and the unprincipled to answer their personal ends. With much respect, Yours sincerely,

DANIEL WELLS.

FROM CHARLES EDWARD FORBES.

NORTHAMPTON, April 4, 1831.

DEAR SIR, — An incident of rather an amusing character has grown out of the want of organization on the part of the National Republicans. A package of the *Boston Weekly Messenger*-Extra has been forwarded by some of our friends in Boston for distribution to C. P. Huntington Esquire of this place. Mr. H. is a Jackson man and probably would not take the deepest interest in the distribution of papers for his opponents. Please to see this mistake rectified for the future. Yours respectfully,

C. E. FORBES.

[Endorsed,] To Col. John B. Davis, Boston, Mass. Fav'd by Mr. Whitmarsh.

FROM ABBOTT LAWRENCE.

[May 26, 1831.]

MY DEAR SIR, — Mr. Webster wishes to sign our petition. I wish to have his name, if you do not see him please write his name. I will be responsible. Yours, etc.,

ABBOTT LAWRENCE.

FROM GAMALIEL BRADFORD.[1]

BOSTON, Aug. 25th, 1831.

SIR, — At a meeting of the Φ.B.K. Society, which was held in this City on Thursday the 11th inst.,[2] the report of a committee (appointed at a special meeting, in Boston called by the President, to consider and report, if any amendments were necessary in the Constitution and Laws of the Society) was taken into consideration. The third article of that Report, contained a provision that the Laws of the Society requiring an unanimous vote for the admission of any member be so amended that a majority of two-thirds of the votes should be sufficient to admit. A motion to strike out the Article was lost by an even vote, thirty-two on each side. A motion to amend it by substituting three-quarters for two-thirds prevailed by a majority of thirty-eight to twenty-five; and the whole report thus amended was accepted. The undersigned having found that the result so effected is not agreeable to a numerous body of the absent Members, has, after consultation, with several whose names stand high in our ranks, taken this method of apprizing the Society generally, that at the coming annual meeting, motion will be made to restore the Law regulating admissions to its ancient form, hoping that Members who take an interest in the subject will attend the meeting at an early hour, in order to settle definitively and by a large vote, a question which has now for some years occupied the time and divided the opinions of the Society. Your Obt. Servt.

GAMALIEL BRADFORD.
Class of 1814.

FROM GEORGE BLISS.[3]

SPRINGFIELD, Octo. 12, 1831.

DEAR SIR, — I have certain information that Mr. Lathrop [4] has accepted the nomination of the antimasons, and has written them a letter which they will not dare to publish. He decidedly condemns their proscriptive system, and their denunciation of Clay, avows himself the fast friend of Mr. C. and pledges his influence to his support. He commends the political course of Governor Lincoln, and quotes the most striking passages of the letter of Governor

[1] (1795–1839). See *Proceedings*, XLVII. 359.
[2] *Catalogue of the Harvard Chapter of Phi Beta Kappa* (1912), 152.
[3] (1793–1873).
[4] Samuel Lathrop (1771–1846), who had run for Governor in 1824, against William Eustis. He served four terms in Congress, and was State Senator for ten years. An account of the Anti-masonic Party in Massachusetts is in McCarthy's essay in *American Historical Association Report*, 1902, I. 515.

L[incoln] to the antimasons as expressing his views entirely, and says he will not be the candidate of a party.

From this state of facts, I have no doubt Mr. L[athrop] is to be run as a candidate of a religious party, united with the Antimasons and that he will be supported by those who differ from Governor L[incoln] on religious grounds.

I tho't it might be important to the friends of Governor L[incoln] to have early advice of this result. Make the most of the information, but do not expose me — bearing in mind that the last suggestion is conjectural, the other fact. In haste your friend,

GEO. BLISS.

FROM EMORY WASHBURN.[1]

WORCESTER, Oct. 27, 1831.

DEAR SIR, — Yours of the 22d came to hand yesterday.

In reply I am sorry to state that altho there is a good state of feeling among the friends and political supporters of Governor Lincoln and a strong wish that he may be re-elected, there is very little action in concert upon the subject. There is the same indisposition to engage in conflict and collision among them, that there always is among men who, conscious of honorable motives in themselves and in the enjoyment of what they esteem most desirable, are indisposed to suspect others of different motives and will hardly be persuaded to use efforts to convince people of what seems too obvious to need argument or persuasion.

There has not been, moreover, any *organization* of the National Republican Party in this County. The Chairman of the County Committee was for some reason selected from a remote part of the County and tho the regular annual convention for nominating State and County officers was duly called and held, no central committee was chosen and Mr. Hastings is too remote to lend any efficient aid in promoting the election. I have occasionally contributed articles for our papers here, and the same has been done by others. But what is everybody's business, you know, is scarcely ever done, and this has been true in this County in regard to this election.

It was not, of course, my business to take the management of this affair into my hands, as I am both by inclination and private engagements *hors-du-combat* as a politician. But the interest I feel in the election of Governor Lincoln, and in sustaining that system of policy which he has always pursued, induces me very cheerfully to avail myself of the opportunity which you have presented by your letter, to make the communications that I do, and to suggest

[1] (1800–1877). See 1 *Proceedings*, XVII. 23.

to you that it is expedient to appoint a Central Committee for this County. If such a measure were taken by the State Committee I think an organization might yet be effected in the County and much might thereby be done. There is moral and physical power enough to carry through this election successfully if it can only be put in motion, and I hope your committee will lend its aid in giving the necessary impulse.

It may seem indecorous in me to nominate individuals to act as our Central Committee, should you think proper to appoint one, but you will pardon me for suggesting the names of the Hon. John Davis,[1] Otis Corbett,[2] Esq., George T. Rice [3] and Thomas Kinnicutt,[4] Esq., who together with the present chairman Wm. S. Hastings would constitute an efficient committee. I have not consulted Mr. Davis but I have little doubt that if you were to address a communication to him it would be attended to. Very respectfully Your obt. servt.,

EMORY WASHBURN.

FROM CALEB RICE.

W. SPRINGFIELD, Oct. 27, 1831.

DEAR SIR, — Yours under date of the 22d Inst. is just received. I think it highly necessary that exertions should be made to ensure the re-election of Governor Lincoln, still I cannot believe at this time the Anti-masons can muster votes enough to prevent a choice by the people. We shall not probably have in this County more than 300 A:masonic votes, altho we shall have a strong Jackson vote and probably no choice for Senators. The course Mr. Lathrop has taken with the Anti-masons has very much disaffected his former political friends and will very much stimulate them in favour of Mr. Lincoln. Perhaps a short account will not be without its use. When Mr. L. was first addressed by the A:Masonic Committee at Boston he prepared an answer which was seen and read by several of his friends here, and was such an answer as they believed would not satisfy the Committee. It was rather severe not only against Masons but Anti-Masons as political parties. It was suggested to him that if he was put in nomination after receiving that letter, the Committee would not publish his answer to them as they had done Mr. Wirt's. He then told some gentlemen they should have a copy

[1] (1787–1854), of Worcester.

[2] (*d.* 1868). He was a member of the State House of Representatives for seven years, from 1825–1835.

[3] George Tilly Rice.

[4] (1799–1858). *Historical Catalogue of Brown University*, 135.

for the press if they wished. He has since been called upon for the copy and now declines giving it. This course has very much disaffected his friends at Springfield and will effect his votes in this County; you may probably see more of this subject in print. I think it would be well that the several County Committees should write some one or more of the leading gentlemen in each town and by that means diffuse a little spirit and energy thro the whole body. I am in the midst of Jacksonism but hope we shall be able to hold way with them. Any other or different organization to ensure success, I will cheerfully approve and aid all in my power. I shall be pleased to hear from you on all occasions. Very respectfully yours etc.

C. Rice.

From Samuel Bowles.[1]

Springfield, Oct. 27th, [1831.]

Dear Sir, — We have now ascertained that the letter which Mr. Lathrop wrote to the Anti-Masonic Committee, in which he entirely coincided with Governor Lincoln's views of Masonry and Anti-Masonry, and in which he avowed his long held preference for Mr. Clay for the Presidency, *has been withdrawn*, and will not be published, although he agreed with me and others that it should be published. Another letter of trifling purport has been substituted, which it is said will be published in the Boston Free Press, when they are ready to do it. Thus by silently consenting to be the candidate of the Anti-Masonic party, in the vain hope of office, he has placed himself in an unpleasant dilemma, and he shows it. We are disappointed and mortified at the course he has taken; but it will operate most to his injury.

You are at liberty to make such use of this information as you think proper, considering my name as *confidential*. Yours very respectfully,

Samuel Bowles.

From Charles Edward Forbes.

Northampton, Oct. 28, 1831.

Dear Sir, — Your circular of the 22d inst. has been received.

There is no doubt, as is suggested, that a large majority in this County at least are National Republicans, but that a majority will vote for Governor Lincoln after the experience of the last election, is hardly to be anticipated. There are causes which operate against

[1] (1797–1851). The weekly *Springfield Republican* was established in 1824.

the Governor here, which do not seem to be of so much influence in other sections of the State.

And these causes are not of a political character. The political course pursued for some years past is believed to be generally acceptable. The objections to him are rather *sectarian* than political.

This state of things is, undoubtedly, to be regretted by liberal minds in all sects. Such, however, is unquestionably the fact. The organization of the party is certainly very imperfect, if it can be said to exist at all. Until the receipt of your circular I did not know that there was even a central committee. Would it not be expedient for that Committee to appoint County Committees, if it has not been done, and for the County Committees to appoint Committees in the several towns in their respective counties? I am satisfied that a perfect organization of the party is becoming every day more necessary. Perhaps this cannot be done effectually before the next election — but that is no reason why it should not be done as soon as is practicable. In the meantime you may rest assured that the friends of the Governor in this place are neither indifferent nor lukewarm. They will give him such support at the approaching election as is within their power. Yours respectfully,

C. E. FORBES.

FROM WILLIAM S. HASTINGS.

MENDON, Oct. 29, 1831.

DEAR SIR, — On my return from Boston yesterday, I received yours of the 22d inst. recommending a more efficient organization of the National Republicans of this County with a view to the approaching election of Governor. Justice to ourselves and to Governor Lincoln undoubtedly requires that every man, who regards the honor or welfare of the Commonwealth, should be summoned to the Polls. With a full expression of public sentiment at the approaching election, the re-election of Governor Lincoln will be carried by a large majority. Whenever the electors of Worcester County have been called to the polls by any serious attempt to defeat the election of Governor Lincoln, they have given a cordial and strong support to her favourite son, and the appearance of a third candidate in the field will only serve as a signal to them to rally round a tried and faithful public servant. Neither sectarian zeal, nor old political prejudices, nor the unreasonable requisitions and proscriptive spirit of anti-Masonry combined can corrupt the Heart of the Commonwealth. The arts of the Jacksonians have been found unavailing, and a *reform* of the political condition of the County they now consider as hopeless.

Some of the most distinguished and enlightened anti-masons of this County regret that Mr. Lathrop has been nominated. They consider his nomination as unfortunate both for their party and for the State, as Governor Lincoln is probably as much an Anti-Mason as Mr. Lathrop, and has this advantage over Mr. Lathrop, that he is familiar with the administration of the government and is deservedly as popular a Governor as we can ever expect to see in the chair of state. Governor Lincoln received the cordial support of the anti-masons last spring and what has he since done to forfeit their esteem and confidence? Nothing whatever, except his refusal to proscribe every member of the Masonic institution, whatever his talents, character or ability to promote the public weal. But the people of this State are not prepared for such a sweeping proscription of any class of citizens; much less to put down at the ballot box every tried and faithful public servant, who will not pledge his official influence to such indiscriminate proscription.

The expediency if not the necessity, of redoubled efforts to bring out the voters at the coming election, is very apparent, as upon the next election will depend in some measure the question, whether the antimasons will in future act as a distinct party in the election of Governor. I know not what better course could be adopted in this County, than for the Central Committee to address a circular to gentlemen in the several towns in the County, urging them to take all proper measures to rally the electors to the polls, suggesting the importance of the election and the necessity of extraordinary exertions and appealing to their sense of duty as good citizens, etc. This circular might be addressed to such gentlemen as are known to be friendly to the election of Gov. L. by the Committee — or forwarded to me or some gentleman in the County, who would distribute them. If done, it should be done immediately. If this course should not be approved, I will use my exertions in any other way which may be thought advisable, and should be glad to hear from you as soon as possible. If you wish to send any circulars or other documents to me, you can send them from the U. S. Insurance Office in State St. every other day. Very Respectfully Your Obt. Servt.,

Wm. S. Hastings.

From Asahel Huntington.[1]

Salem, Oct. 29, 1831.

Dear Sir, — I was in Boston yesterday, and intended to call on you, but other engagements prevented. I was present at our Con-

[1] (1798–1870). *Hist. Coll. Essex Institute*, xi. 81.

vention the other day at Ipswich, and I thought from all I could gather, that there was a good spirit abroad in the County. We shall do our best here for Governor Lincoln. If the Anti-Masons make any calculations upon Mr. Lathrop's *orthodoxy*, I think the event will show them to be mistaken, at least, in this quarter; and I do not believe that in any part of the Commonwealth many ballots will be cast upon such considerations. As to the Antimasonic opposition, *as such*, I believe it will be nearly or quite neutralized by the increased activity of those who feel themselves most aggrieved by it. I mean, the Masons. The nomination of Lathrop has produced a good deal of feeling among them, and they are determined that Governor Lincoln shall suffer no harm for the manly and honourable course, which he has seen fit to pursue. While I have no doubt of a most decided triumph, I would say or do nothing to slacken exertion on the part of our friends. We shall give Lincoln a great vote in this County. The election in the North District will bring out all the voters. The State Address is a capital one, and must produce good effects. It ought to be published in every Republican newspaper in the Commonwealth. You may depend upon it, that Essex will do her duty. Yours, very respectfully,

A. HUNTINGTON.

FROM GEORGE BLISS.

SPRINGFIELD, Octo. 30th, 1831.

DEAR SIR, — I much regret that I did not see you on a hasty visit to Boston last week. I could not anticipate the condition in which I find our election concerns now. Mr. Lathrop has withdrawn the letter of which I wrote to you, and given Dr. Phelps[1] another more acceptable. And he declines now giving a copy of the first or letting it be seen. The last of course will not be published till it is too late to expose Mr. L. and publish the substance of the first. In this view of the subject, we have called a County meeting for Tuesday evening, to consider the propriety of publishing a state of facts, very early after which I trust the publick will be put in possession of the history of this affair, and if so it must and will be scattered to every corner of the State by handbills and the papers. I do not fear the result, if we can have time. In the meanwhile I think the papers ought to have no delicacy in stating such facts as they have. So far as I have them they are shortly these. Some weeks since Mr. L. was written to by the Anti-M. Com'ee to be a candidate, and he said he gave such an answer as he tho't would forbid his name being bro't before the A.M. Convention, and he expected to hear nothing further.

[1] Abner Phelps (1779–1873). *Historical Catalogue of Brown University*, 541.

On the evening of the 12th when I wrote to you, Judge Morris came into my office, and introduced the subject and said Mr. L. called on him that afternoon, stated his situation and shewed him his answer to the invitation, asked his opinion of it, and Judge M. told him he had no objection to it except that he called Masonry a *dangerous institution*. Judge M. then voluntarily detailed to me the contents of the letter. It began by stating that the Committee had sent him all the resolutions of their meeting closing with *therefore* voted etc. that Hon. S. L. be nominated, that by that mode of expression he supposed his nomination was on the basis of, or in consequence of the tenor of those resolutions and he felt called upon to express his opinion of them. As to Masonry it was well known he had long been opposed to the institution, and tho't it a dangerous one — but he was equally opposed to Anti-Masonry, and reprobated the proscriptive course of its friends (giving his views more at large) and closing with "as Governor Lincoln has in his late letter very justly and most eloquently observed," then quoting two or three passages of that letter on this subject with approbation. As to Governor Lincoln's administration of the Government of the State, it met his entire approbation. As to the resolution approving the nomination of Mr. Wirt he could not assent to it, "Mr. Clay was his personal and political friend, and whatever so humble an individual as he could do to promote his election would be cheerfully done." My impression is he spoke of the American system in terms of strong approbation, and perhaps alluded to other subjects closing with stating that if with the avowal of those sentiments, the Com'ee still determined to support him he felt it to be his duty to consent. So much for the contents of the letter. Judge M. further said he told Mr. L. he did not see how the Anti-M's could support him. Mr. L. replied, he did not think they *could* — or *would*, I cannot say which. Judge M. told him they would not dare to publish the letter. Mr. L. said he hoped they would, he wished it to be known, had no secret about it, and if not published it would not be withheld. Judge M. said it was to be sent immediately, and remarked that Mr. L. would finally be the Gov'r. I replied then another class of his friends unite in his support. Judge M. replied you mean his religious friends. Yes. I do not think so, says he. I know of no such concert or determination, and think if it existed I should have known it. The orthodox are fully satisfied with Gov. Lincoln, alluded to his strict regard for the Sabbath and religious institutions, his impartiality on subject of Cambridge College, etc., etc. I since learn that on the same day Mr. L. shewed that letter to three other gentlemen of the bar (our Court being in session) and to one of them offered to let him take a copy, which he declined, and Mr. L. said he might

have one any time. The letter was certainly mailed Thursday evening for Boston, and on Saturday of the week after Dr. Phelps came up in the Stage, was met here by a son of Mr. L. with his Chaise and taken to West Sp[ringfiel]d. I believe Dr. P. was also here a week before, but cannot learn certainly. But nothing was said or done about suppressing the letter till the past week after Dr. P. was last here. In meantime Mr. L. was over here, and conversed with some gentlemen about the letter and nomination, and said to the Editor of the *Journal*, he hoped nothing would be published about it till the Committee had an oppo[rtunity] to publish it. Then came Dr. P. and the past week the Editor of the *Republican* called on Mr. L. for the letter which he declined giving, said he had withdrawn it and substituted another, more general, and as I understand not alluding to Governor L[incoln], Mr. Wirt, Clay, or the American system. Judge M. also says Mr. L. told him the same thing. Thus I find matters on reaching home. Mr. L. has written (as I believe) to each of the gentlemen to whom he shewed the letter, and we have written them also. Two of them decline to disclose but at personal interviews, we expect them at the meeting Tuesday.

I have no doubt of the facts as I state them. I vouch for those I give as my own, but I cannot be responsible for exact language. All you may use, except about the orthodox support etc., but at present wish my name not used if it can be avoided — or Judge M's.

Can you learn whether a double letter from West Sp[ringfiel]d was received at the Boston office on the evening of Friday the 14th?

The mail is waiting and I must close. Yrs. truly,

GEO. BLISS.

FROM SAMUEL METCALF MCKAY.[1]

PITTSFIELD, Oct. 30, 1831.

DEAR SIR, — I postponed an answer to your favour of the 22nd until after I had been at our County Court where I spent one day and night. We have recently consolidated the *Argus* of this place with the *Journal* of Lenox. The Editor is a decided National and is managing the paper well. I took it upon me to call a County Convention, over my own signature. We have been without Caucus nomination for a few years back until the last Spring when I called the first.

Our friends begin to feel the necessity of the old fashioned party organization, the last Convention was numerously attended, and yet I am unable to foretell the result. There is no tangible Antimasonry or old Federalism in the County, altho almost all the clergy

[1] (1793–1834). See Smith, *History of Pittsfield*, 1800–1876, 404.

and the leading men in church affairs are anti-masons at heart. I find among our friends a few masons agrieved by Lincoln's letter. I do not believe they will go against him tho' they grumble sadly.

The great difficulty with us, is on the score of our expenditures. The Jacksonites so shamelessly charge upon us the squandering of the public money that the people half believe them.

Your speech the last Spring on retrenchment was one of the best things that occurred during the canvass. It helped me much in this Town. The address from our County Convention is on the same plan this fall and will aid us. If we do not disabuse the people on this head they will vote against us. I hear little said of Lathrop and yet I shall not think it strange if Federalism, Anti-masonry and orthodoxy combined should get him a considerable vote. The nomination of Wirt, whose activity in some religious affairs has made him popular of late, with the zealous, will afford some support to Mr. L. I hope we shall give a good account of ourselves at the polls. "We will try."

I have said more than I should from an apprehension that we are not safe and that the party ought, without fail, to make every exertion.

By the way I have been told that in your paper you have paragraphed me as the only "anti-mason from Massachusetts who will go to Baltimore," etc. This was wrong. I regret to see that my early predictions upon anti-masonry are fast being realized, not that I feel any interest in, or desire that Masonry should be continued. I well recollect in a conversation with you some years since at Mr. Secretary Bangs house, I did not hesitate to say to you, that I saw in the disclosures of Masonic secrets, the elements of tremendous popular excitement and that if the people once heard and believed them, the contagion would spread. It has done so. It will continue to spread until the lodge-charters are surrendered. You will understand that any extensive excitement under our government, will be turned to political account if possible. While I have disapproved of making anti-masonry an engine of political power, I have never concealed my opinion of its strength or efficiency. These are my views of anti-masonry in Massachusetts; where I see nothing which I would revolutionize. I ask no general reform or political revolution, and desire no general excitement of the people for political purposes.

In New York I meet with a different state of things and I tell you frankly that if anti-masonry shall prostrate the regency there, (and their days are numbered) I shall rejoice at it. Nor do I believe that the slang phrase "jubelo" etc. "or cable tow," etc. is any less dignified than the hurras for Jackson were, by which Mr. Adams

was overthrown. I did not think to give you so full a confession of faith, but since it is written I hope you will excuse me.

Send me any thing to aid the election of Lincoln and I will exert myself to meet your wishes. Meanwhile if I have made myself understood, you will perceive that I think we are not quite safe in the State. In this County we have had a majority against you now for the two last years. I remain respectfully Your obedient Servant,

S. M. McKay.

From Samuel Bowles.

Springfield, Nov. 1, 1831.

Dear Sir, — Yours of the 29th was received last evening, too late to answer by return mail. I am not certain whether you mean that the mere fact of Mr. Lathrop's withdrawal of his letter, or the contents of it, which you think ought to be known at once. But we are engaged in endeavoring to make known both facts; but are likely to be defeated in obtaining an abstract of the letter from either of the gentlemen who read it; he having written to each of them, requesting them, as we suppose, not to do it. I will state you a few facts within my own personal knowledge. On the 17th Oct. I had a conversation with Mr. Lathrop, in which he requested me to refrain for a few days, from speaking of the contents of his letter; adding that it would probably soon appear in the Boston Anti-Masonic paper; but if it did not, he would furnish a copy to be published here. The same language he held to those gentlemen who had read the letter. In this letter, it was said by those who saw it, he went even farther than Gov. Lincoln in condemning Masonry and Anti-Masonry, and said he should do all he could to promote the election of Henry Clay. On the 20th October I waited on Mr. L. and told him the friends of Governor Lincoln were concerned about his nomination, and wished to have his letter published here; the prompt publication of which I believed would satisfy them. My object was to obtain a copy for publication. But to my astonishment, he said it was withdrawn, and would not be published. He read me a short letter, which he said would be published as a substitute. He mentioned some circumstances to me, in confidence, in relation to the withdrawal, and his acceptance of the nomination; but I do not deem them of much importance. I then ascertained from other sources that Dr. Abner Phelps had been at his house the Saturday previous; consequently was at no loss to account for the withdrawal of the letter and Mr. Lathrop's new position in the affair. He appeared confused, said he had no idea of being chosen, and hoped he

should not be voted for, said he was willing I should say, what he had declared to several gentlemen in Springfield, that he entirely approved of Governor Lincoln's letter to the Anti-Masonic committee, and thought it one of the best things the Governor ever wrote. He also said I might publish that he was the friend of Henry Clay.

Mr. Lathrop, in thus inconsistently throwing himself into the hands of a party opposed to Mr. Clay and Governor Lincoln, has caused no small indignation even among his old and best friends. A county meeting is called, to be held here this evening, to take some steps on the subject, the proceedings of which you will see in my next paper. I went to West Springfield and Westfield yesterday and conversed with Mr. Fowler and several other gentlemen; and hope we shall have a good meeting. We shall do what we can for Governor Lincoln and the National Republican cause.

This letter, you understand, *must not be published in its present shape*, although you are at liberty to avail yourself of the facts contained in it, as you may think expedient.[1] Would it not be better to let Mr. Lathrop pass as the unqualified candidate of the Anti-Masonic party, and not urge his sentiments in contradiction from that ground? Yours very respectfully,

Samuel Bowles.

It is probable that Mr. Lathrop is disaffected towards Gov. Lincoln, in consequence of not getting the appointment of Sheriff of this county.

From Thomas French.

Canton, Nov'r 2, 1831.

Dear Sir, — Your favour under date of 22nd postmark'd 26, was rec'd by me on the 29 Ult. Ill health prevented me from returning an answer by the next mail. There is a good spirit prevailing in this County I have no doubt, and so far as regards Gov'r Lincoln, I feel confident of success, of the result of the Senatorial election nothing can be determined [with] certainty. The Anties in our vicinity, and [we] are cursed with a superabundance of them, will generally vote for Governor Lincoln; for Senators they will be divided. If the statement in your paper of today, concerning the management of Mr. Lathrop be correct, and his first letter to the Anties cannot be had, send to Springfield for the Deposition of the gentleman to whom you refer, and let that be publish'd, and draw upon me for any reasonable proportion of the expense, "There is something rotten

[1] See *Boston Daily Advertiser*, November 7, 1831.

in the state of Denmark" and we shall depend upon the Central Committee to bring to light this nefarious business. I am Sir very respectfully your obt. Servt.,

T. FRENCH.

FROM GEORGE LUNT.[1]

NEWBURYPORT, 3 Nov'r, 1831.

DEAR SIR, — Yours came to hand in due season: it arrived however at a moment when I was very busily occupied upon matters connected with the political condition of the County; and these, together with other affairs of similar moment have so engrossed my leisure since, as to afford some sort of apology for not answering yours in better season. Excuse me, therefore, and believe that my neglect was not occasioned by want of interest in the matter at stake, or because I had not in fact reflected upon it for some time with a great deal of anxiety. But Mr. Lincoln has nothing to fear in our County. It is beyond question that Mr. Lathrop will get here something of a vote; the Antimasons, of course, many of the old Federalists, and I should not be surprised if the situation of our Congressional affairs should in some degree influence the vote in Newburyport and its immediate vicinity, against the Governor — why, it would perhaps be difficult enough precisely to settle — but *they* have heard that the Governor holds Cushing[2] in just dislike; and some of them are so violent and unreasonable that they would not spare a dog which had barked at Cushing's heels. This amiable spirit, however, I am happy to say, does not prevail to any considerable extent, and probably, indeed I may say, certainly, will influence only those, who are under the dominion already of other hostile feelings sufficient to account for their opposition. There is, you may rest assured, no doubt of a fair majority for Mr. Lincoln in Essex; and you may rest equally assured that his friends will by no means be backward in zeal, heartiness, activity and resolution.

Wishing all success to the cause, I remain, dear sir, Resp'y and truly yours,

GEORGE LUNT.

FROM GEORGE LUNT.

NEWBURYPORT, 5 Nov'r, 1831.

DEAR SIR, — Your packages came safe to hand last ev'g, and I have taken care to see the papers distributed with our paper of this

[1] (1803–1885).

[2] Caleb Cushing (1800–1879), at this time in Europe.

morning, so that they will have the best possible circulation. No doubt they will do good.

I write you a word now, however, to ask (almost to *claim*) a favor, which if granted will unquestionably be attended with highly beneficial effects upon *us* and the general good, and which can be productive of not the slightest loss to you. It is that you take into the *Patriot* columns the "Address," published in this day's *Newbury Port Advertiser*, of *our* meeting at Andover.[1] Here is the state of the case. Cushing has lost the two last times. His cause is no doubt declining. Kittredge has gained handsomely upon him. He will no doubt either outstrip or at least come very near him this time. But we need everything which can be had to encourage us and to bring out our really effective forces. If we could secure all the new voters who will unquestionably come out this time (I mean those who have not been yet much interested in our Congressional affairs but who count upon voting for Governor) Dr. Kittredge would be elected at the coming ballot. But to effect a handsome relative gain for him this time will settle the matter decisively and (what you will consider of no little consequence) this is the only way in which the breach of the National Republican party in our district ever can be repaired. Otherwise they must continue and moreover *will* continue to *fight*, until in all probability they dwindle in the Jackson ranks. Help us then to remedy the difficulty by the only means in our power. *We* are springing to the work. Any external influence, of the kind I ask from you will no doubt have much effect in suitably impressing many people who have heretofore voted for Cushing, but who are tired of his contest and only want some such new motive or impulse to induce them to vote for Kittredge. The merest straw will often turn such people but seeing the Address in your paper would have much effect. It would also, unquestionably, sway the minds of many who have not yet voted on the question. If the aid of the Boston papers had originally been afforded us, we should not now be struggling as we are — and really it was and is a matter in which they are as much interested as we are and which they should have discussed as freely.

I pray you to insert the Address, etc., as I request. It will advance our prospects. It can do your establishment no sort of injury, *tout au contraire*, much good always comes from doing what we ought to do — excuse my plainness, and believe me, my dear Sir, Resp'y and truly yours,

GEORGE LUNT.

[1] It was republished in the *Boston Patriot*, November 8, 1831.

FROM GEORGE BLISS.

SPRINGFIELD, Nov'r 6th, 1831.

DEAR SIR, — Your favor of the 4th came to hand last evening, and by same stage two packages of Extra *Patriot* which will be used to good account. I am obliged to go by stage this evening to Berkshire, and will leave them in good hands, taking a part. You are doubtless in possession of the proceedings of our meeting, which I trust will at last quiet Dr. Phelps' intended attack on me. But to put the matter beyond question, you are at liberty to say, that Mr. Lathrop was in town Friday, when Judge Morris, who is his privy counsellor, told him he had been informed that he, (Mr. Lathrop) had said, the facts stated in the *Patriot* were not correct. Mr. L. distinctly denied having disapproved of that statement and I *understood* agreed to their accuracy. I have no objection to your giving up my name. I think Dr. P. will not be able to use it for his purposes. And I cannot believe you will want further evidence. If you do, in my absence, please address Mr. Willard or John Howard or George Ashmun Esq. The latter drew up the Report of our meeting. I shall return in three days. I think some of the orthodox friends of Mr. L. who are not Anti-masons will vote for him, tho' there is no concert among them here as a party. Yours truly,

GEO. BLISS.

I made the same statement at the meeting, as I wrote you, and that letter is here called *mine*.

FROM NATHAN BROOKS.[1]

CONCORD, Nov. 10th, 1831.

DEAR SIR, — I have no fear of Middlesex, if we can only bring the friends of the Administration to the poles. To effect this, an agent has been sent through the South and West parts of the County, who will be much aided by the extra sheets, which you had the goodness to forward to me. I had a consultation last evening with Mr. Varnum, who says he will take hold in good earnest and do what he can. I furnished him with about 200 of your sheets, which I had remaining. Should have earlier sent a larger portion to him had I not supposed, from your first line to me, that he had been furnished. We intend printed votes shall be sent to most of the towns.

Personally I cannot do much, having been confined, for the last week, by indisposition. Respectfully your obt. Servt.,

N. BROOKS.

[1] (1785–1863).

From Solomon Lincoln, Jr.

Hingham, Nov. 11, 1831.

My dear Sir, — We are doing all that honest and honorable men can to sustain Governor Lincoln. We hope to save something from the Anti-Masonic ranks for the support of the National Cause, so far as relates to Governor. The charge against the Anti-Masons of combining with Jackson-men has been resented by the former; with how much propriety you may learn from the fact that printed tickets have been distributed in this County bearing the names of Morton [1] and Mills [2] for Governor and Lieutenant Governor, and Lazell [3] and Turner [4] for Senators; and also upon the same sheet are printed tickets containing the names of Lincoln and Winthrop [5] for Governor and Lieutenant Governor, and Lazell and Turner for Senators — the object being evidently to offer a temptation to the Jacksonians to abandon their ticket for Senators, for the sake of Morton, and to deceive the friends of Governor Lincoln and the National Republican cause. Our paper has gone to press, and I wish you to expose so much of this trick as you may think expedient in *tomorrow's paper* for the benefit of the cause in this county.

I will try to send you our votes on Monday by the Plymouth stage. We shall do all we can here — probably give Lincoln his usual majority — although all parties will have [to] give increased votes. I suppose we shall send three representatives, two of whom will be right and one like *Case* and *Whittemore*.[6] It may however be otherwise. Scituate will send three our [or?] four representatives. The friends of Governor Lincoln there are awake and have just taken from our office printed votes for Representatives.

Dr. Cushing Otis
Edward F. Jacobs Esq.
Peleg Jenkins Esq.
Paul Bailey Esq. all true.

I think they will send the three first although J. B. Turner's friends are straining every nerve.[7] Yours truly,

Solomon Lincoln, Jr.

So much in haste that I have begun my letter on the wrong side of the paper.

[1] Marcus Morton.
[2] John Mills.
[3] Nathan Lazell, Jr.
[4] John B. Turner.
[5] Thomas Lindall Winthrop.
[6] The representatives chosen from Hingham were Thomas Loring, Marshall Lincoln, and Nicholas B. Whitney.
[7] The first three names were returned.

From Joseph Lyman.

Northampton, Nov. 11th, 1831.

Dear Sir, — I did not receive yours of the 24th ult. until the last evening. I have been absent from this place attending the Tariff Convention in New York. Your letter was received by Mrs. Lyman on the 26th ult. and she forwarded the same by private conveyance to me in New York. She paid no attention to the place of its date and informed me on my return that Mr. Davis of Worcester meaning the Hon. John Davis had written me a letter upon the subject of the pending election and that she had enclosed the same to me by Mr. Butler of New York thinking it proper that I should sound the alarm among the Delegates from Massachusetts there assembled. Mr. Butler did not deliver the letter to me as he was detained in Hartford on his way, but forwarded the same to me here the last evening — immediately on my return I wrote Mr. Davis of Worcester pledging myself to do everything in my power.

We have little to fear from Anti-Masons in this little County; but much from a religious party or rather irreligious party calling themselves orthodox, and it will not be surprising if the Anti-Masonic Candidate should obtain as many votes as were cast for Heman Lincoln the last Spring, tho' the most intelligent of the Orthodox have expressed an opinion to me that Mr. Lathrop has demolished himself — they however will not be very active in setting their Brethren right.

I have received communications from Hampden and Franklin Counties favourable to our hopes and wishes. I am respectfully Your friend,

Joseph Lyman.

Josiah Quincy, Jr. to Ezra Davis.

27 State Street, 16. May, 1837.

My dear Sir, — An instalment on your French claim became due yesterday and is payable at the Merchants Bank. The money as you are aware was imported in gold and silver at a loss of some 12 per cent to the owners. And they now refuse to pay it over in any thing except what in their own phraseology is called "Rag money." I understand that some of the claimants refuse to receive it and protest their certificates. What course shall I pursue? Shall I take it or not in paper? If I take it have you any wish as it regards the nature of the investment you wish made? The times are so out of joint that I shall be happy to have the advice or directions of one who has had so much more experience in bad times than I have. I am very truly and respectfully,

Josiah Quincy, Jr.

MARCH MEETING.

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P.M.; the PRESIDENT, Mr. LODGE, in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library since the last meeting.

The Cabinet-Keeper reported gifts as follows:

Engraving, by John Chorley, from an original painting of Governor John Brooks by James Frothingham, from Mr. Kellen; photograph of a rare French print of Jonathan Russell, from Miss Mary Rivers, of Milton; photograph of a painting of John Adams, and two photographs of Congress Hall and the Senate Chamber, in Independence Hall, Philadelphia, from Wilfred Jordan; medals of the Boston Latin School, 1828, 1829, 1830, and 1831, the Franklin School medal, and the Phi Beta Kappa medal, all of Dr. Thomas Mayo Brewer (H. C. 1835), and seven coins, from Miss Lucy S. Brewer, of Brookline; and badges from the Benevolent Protective Order of Elks, and from the Boston Chamber of Commerce.

The Editor reported the gift, from the children of Charles Deane, of his correspondence and papers on historical subjects. Mr. Deane's position among investigators, his long and active membership in this Society, from 1849 to 1889, and his many valuable contributions to its *Proceedings* and *Collections*, need not be dwelt upon. These letters show his wide historical interests, his careful investigation, and his generous aid and encouragement to the younger men. Hardly a name of those who were working in history in the United States at that period is wanting, and in some cases long series of letters prove how thoroughly he had gained the confidence of his fellow workers. Of particular value are his letters from Mr. Winthrop and other members of the Society, for they recall the great attention given to the interests of the Society and how its welfare was ever present to the minds of Deane and his associates. The collec-

tion is a necessary part of the history of the Society and of its influence in encouraging the pursuit of history in the latter half of the last century.

Rev. Charles Edwards Park, of Boston, was elected a Resident Member of the Society.

The PRESIDENT announced the appointment of the following committees, in preparation for the Annual Meeting in April:

To nominate Officers for the ensuing year: Messrs. CHARLES P. GREENOUGH, FREDERICK WINTHROP, and BLISS PERRY.

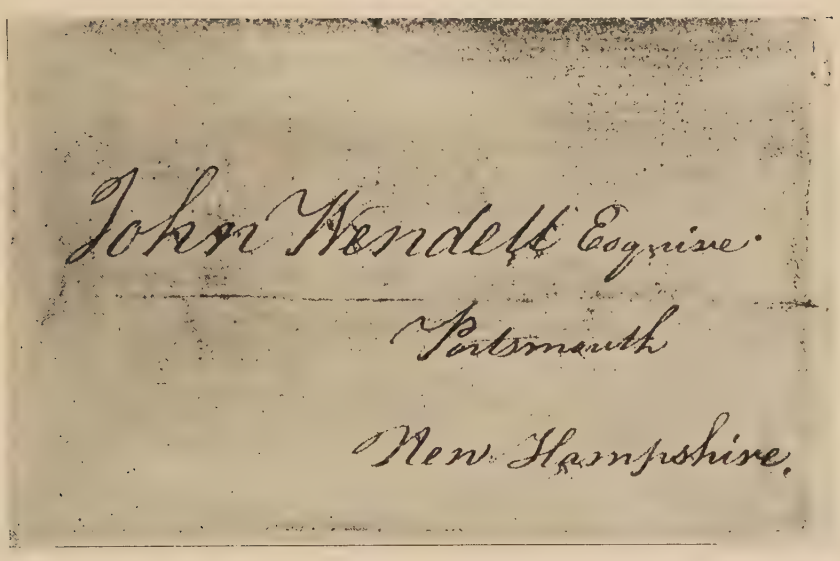
To examine the Library and Cabinet: Messrs. WILLIAM C. ENDICOTT, LINCOLN N. KINNICUTT, and HENRY G. PEARSON.

To examine the Treasurer's accounts: Messrs. HAROLD MURDOCK and HENRY H. EDES.

The PRESIDENT announced the death of Frederick Lewis Gay, a Resident Member, which occurred in Brookline, March 3, 1916. Mr. Gay was elected to the Society in January, 1914, and in his short membership had been liberal with gifts and the use of his rich materials on early New England history. His extensive collection of seventeenth century works illustrating the history of Old and New England contains unique features, for he specialized in certain lines, and, a keen collector, he succeeded to an extraordinary degree in obtaining what was rare and necessary to his purpose. These printed works he supplemented by transcripts of manuscripts from the British Museum and Public Record Office, and of them he issued a catalogue. He also bought early American portraits. Of all this material he was generous, never refusing to aid and encourage the investigator by lending his choicest pieces and giving the benefit of his own wide and thorough research. The Society gained by his membership, and it loses an active and sympathetic worker in his death.

Mr. BARRETT WENDELL showed an impression of the seal of John Paul Jones, on a letter cover addressed to John Wendell, of Portsmouth, New Hampshire. This probably contained a letter written from Nantes on December 11, 1777. If so, this impression is nearly six years earlier than that in possession of the Naval Historical Society of New York and there supposed unique. The Wendell impression now belongs to Evert Jansen Wendell, of New York.

Mr. Wendell proceeded to make some conjectural remarks



Seal and Writing of John Paul Jones

INSTITUTE OF HISTORICAL RESEARCH

on the probable effect of German manners at the English court, as one of the causes of that divergence of feeling between England and the American colonies which resulted in the American Revolution, and thus in such a disruption of the British Empire as might have occurred in the United States had secession prevailed.

The Cabinet-Keeper read the following letter on a portrait in the Cabinet of the Society:

BOSTON, March 7, 1916.

DEAR SIR, — I have been interested in tracing and correctly attributing the authorship of the several portraits of Rev. Ellis Gray and at your request submit the result of my investigations.

In 1878 a paper on Jonathan Blackburn, with a partial list of his portraits, was written by Augustus Thorndike Perkins and printed in the *Proceedings* of that year. Mr. Perkins listed two portraits as follows: "Ellis Gray. There are two portraits of Rev. Ellis Gray, of half length, representing him in his robes and bands, the hair without powder. Both pictures are in the possession of his grandchildren. One is owned by Miss Anne Cary of Chelsea, the other by William Ferdinand Cary, Esq., of Boston."

At the time Mr. Perkins wrote his paper and prepared his list of portraits by Blackburn there was hanging in the collection of the Massachusetts Historical Society a portrait of Rev. Ellis Gray and another in the collection of the American Antiquarian Society at Worcester.

The card index of the Massachusetts Historical Society names four portraits of the Rev. Ellis Gray and, following the list prepared by Mr. Perkins, attributes them all to the hand of Blackburn. In recording four portraits of Rev. Ellis Gray the card index is correct; in attributing the portraits to Blackburn my conclusion is that a mistake was made by Mr. Perkins and his error repeated by the Society index and the owners of the other two portraits mentioned by Mr. Perkins. The portrait at the American Antiquarian Society has always been recorded as "Artist Unknown," it being a gift from William Bentley, the well-known diarist.

Bentley says in his diary, Volume III, page 368, under date of June 28, 1908: "Had the pleasure of seeing at Mr. Watson's seat in Northfield, in company with Colonel Cushing's family, a daughter of Secretary Avery, who promised her influence to obtain from Mrs. Thayer, daughter of Revd. Jackson of Brooklyn, a painting of Revd. Otis Gray, one of the ministers of New Brick Church, Boston.

Revd. Mr. Cary of Newburyport has another painting of the same person, both by Badger. This painting belonged to my grandfather and was sold for one dollar to Mr. Jackson at a public auction where the household goods were disposed of by Capt. Adams." Bentley did not make the error of referring to the minister of the New Brick Church, Boston, as Otis Gray, but the copyist of the diary is responsible for the mistake. Bentley at a later time succeeded in getting from the Rev. Joseph Jackson of Brookline the portrait at one time owned by Bentley's grandfather of Rev. Ellis Gray and which he, Bentley, says was made by Joseph Badger, and the portrait now in the possession of the American Antiquarian Society was presented by Bentley. This locates one of the pictures, and fortunately for our records, it is one of the portraits mentioned in his diary.

The portrait mentioned as belonging to William Ferdinand Cary, who was the son of Samuel and Sarah Gray Cary and the grandson of Rev. Ellis Gray, was left by him to Mrs. Hartman Kuhn, who left it to Hamilton Wilkes Cary, who left it to Mrs. R. S. Russell, whose mother, Mrs. Charles P. Curtis, was a Cary. I have seen the portrait at Mrs. Russell's house and compared it with the others.

The portrait mentioned as belonging to Miss Anne Cary of Chelsea has come down from her possession to Mrs. Russell Montague of White Sulphur Springs, Virginia, where it now is.

The fourth portrait now hangs in this Society's collection, said to be a gift from Rev. Chandler Robbins of the Second Church, once called the "New Brick Church." This and the other two portraits agree in every detail with the one named by Bentley as being by Joseph Badger, and I am therefore of the opinion that the attribution to Blackburn is an error.

Joseph Badger at the time of Mr. Perkins's article was little known, and it is only within a few years that interest has been shown in the work of this very excellent portrait painter. No record of his birth or origin has thus far been found. His estate was administered on August 23, 1765. He had studios in Boston from 1740 to 1765.

Among his portraits are those of James Bowdoin belonging to Bowdoin College and another of the same man in the Pitts Collection at Detroit. There are also portraits in existence of

Timothy Orne
Mrs. Rebecca Burrill Orne
Dudley Leavitt
Mrs. Dudley Leavitt
Daniel Mackey
Thomas Cushing
Tristram Dalton
Captain John Larrabee
John Pitts
Mary Leavitt

Mrs. Daniel Mackey	Alexander Savage
Rebecca Orne	Thomas Savage
Lois Orne	James Russell
Thomas Mason	John Haskins
Mary Vial	Mrs. John Haskins

Very truly yours,

FRANK W. BAYLEY.

Mr. CHARLES HENRY HART, a Corresponding Member, contributes the following paper on

PETER HARRISON, ARCHITECT.

Peter Harrison, the first professional architect in America, was a very important eighteenth century character in New England about whom many biographical impossibilities have been recorded in print. Chief among these are the romances that he was a pupil of Sir John Vanbrugh and one of his assistants in the building of Blenheim Castle for the Duke of Marlborough (1705–1716), and also that he was one of the companions of Bishop Berkeley on his famous visit to Rhode Island in 1728/29.[1] As Peter Harrison the architect was born the year in which Blenheim Castle was completed and had just arrived at the mature age of ten years when Vanbrugh died, which was only two years before Berkeley's voyage to this country, it will readily be seen of what value are these important statements in historical publications of repute, only a few of which are named in the footnote, and which have gone unquestioned until now. Yet, had it not been for the misstatement that Harrison was a companion of Berkeley, not only would the error have remained unchallenged and undetected by me, but the true and interesting facts of Harrison's many-sided career that have been unearthed would never have been dug out and recorded by my pen. Thus it would seem errors in published history by their refutation accomplish sometimes unlooked-for good.

[1] *Proceedings*, XII. 324; XVI. 392; Noah Porter, *200th Anniversary of the Birthday of Berkeley*, 35 and 67; Updike, *History of Narragansett Church*, II. 431; Mason, *Annals of Redwood Library*, 36; Foote, *History of King's Chapel*, II. 76 *n. et seq.;* Winsor, *Memorial History of Boston*, IV. 469, 470 *n.* For the benefit of those concerned I note as a warning that the "authority" last cited, and the same author's *Critical History of America*, are dangerous to use unless the statements are carefully verified.

In Poulson's *Daily Advertiser* for September 26, 1822, printed in Philadelphia, there appeared the report of a case of pedigree, Doe, Dem. Thomas *vs.* Acklam, that had been tried before Abbott, C. J., at the York Assize in England on July 30 of that year. The proceedings were to prove that Frances Mary Ludlow, wife of Philip Thomas of the United States of America, was heiress at law of Elizabeth Harrison, spinster, who died in Hull, England, November 26, 1818. Mr. Sergeant Hullock proved for the plaintiff that Joseph Harrison had gone from York, England, to America and been Comptroller of the Customs at Boston in 1775; that Peter Harrison, his youngest brother, followed him to America, where he died, leaving four children, all of whom died without issue, except Elizabeth, who married, at Trinity Church, Newport, October 22, 1781, James Ludlow,[1] of which marriage Mrs. Thomas was the only surviving child; that Elizabeth Harrison was the daughter and last surviving child of Joseph Harrison, the elder brother of Peter Harrison. An important and most interesting piece of evidence was a miniature of Mary Frances Ludlow (Mrs. Thomas) when a child, that had belonged to Elizabeth Harrison. The Lord Chief Justice said that "it was surprising to find a case so clearly made out at such a distance of time and place," and directed the jury to find for the plaintiff, subject to judgment on the question whether an alien could inherit the estate.[2] This cause was in litigation from 1820 to 1824, and the original pedigree that was used in the case is now in the possession of Mr. Shipley Jones, of New York City, a grandson of Mrs. Thomas, who has courteously allowed me to use it. So that the data here given concerning the Harrison family and their birth and death dates have the sanction of the English law courts, which puts them beyond question. The document is endorsed "Pedigree of the Parties Claiming the Property of the late Miss Harrison of Hull"; and the result of the litigation was to divide the personal property equally between the plaintiff and the defendant, with the real estate to the defendant, holding that an alien could not inherit it.

Peter Harrison, architect, was born June 14, 1716, and was the son of Thomas Harrison, Jr. (1671–1731) and Elizabeth

[1] *Rhode Island Historical Magazine*, VII. 285.
[2] *N. E. Hist. Gen. Register*, XXXV. 240.

Denison Harrison (1683–1753), of York, England. What education as an architect and engineer he had in England we do not know, but the earliest mention that we have found of him and of his brother Joseph Harrison in America is in the year 1745, when on April 3 Joseph Harrison, of Newport, was admitted a freeman of the Colony of Rhode Island.[1] On September 28 of this same year the Assembly "Voted and Resolved that His Honor the Governor be requested to send for Messrs. Jos. Harrison and Peter Harrison who have presented this Assembly with a handsome draught of Fort George and the Harbor of Newport very ingeniously drawn and give them the thanks of this Assembly."[2] A month later, on October 27, the Assembly "Voted and Resolved that the Committee that was appointed to procure a plan of Fort George and the Harbor of Newport, procure another draught or plan of said fort and harbor, exactly as the same now are, and present the same to His Honor the Governor to be signed by him and the Surveyor to be sent home . . .; and that the said committee procure a piece of plate to the value of £75 and present the same to Mr. Peter Harrison for his trouble in surveying and making a draught of said fort and harbor."[3] He was now apparently well established in Newport; for on June 6, 1746, he married Elizabeth (1721–1784), daughter of Edward and Arabella Williams Pelham, whose grandmother was Godgift, daughter of Benedict Arnold, first Governor of Rhode Island. Through his wife Harrison acquired the estate subsequently known as "Harrison's Farm," in Newport, which is intersected by the present Harrison Avenue, named for the architect, and the old Harrison house remains a familiar landmark.[4] His marriage was followed by that of his elder brother Joseph on November 25 of the same year, at Portsmouth, N. H., to Eleanor Ridgway, whose mother's name was Acklin, Acklom, or Acklam, as given in the legal proceedings.

But his marriage did not interfere with his public duties. We find the Assembly on September 29, 1746, providing that, as "the well fortifying the town of Newport and furnishing the fortifications there with war like stores are necessary for the

[1] *R. I. Col. Rec.*, v. 109.
[2] *Ib.*, 131. [3] *Ib.*, 153.
[4] Communicated by Mrs. Sarah King Birckhead.

security of the Government," a sum is appropriated for "completing the new works and the alteration of the old battery adjoining to Fort George at Goat Island," and that Joseph Harrison, Peter Harrison, and eleven others named "or the major of them be established and appointed a committee to finish the said new battery or work begun." [1]

We next find him engaged in that work that has preserved his name and genius fresh to the present time, and made Peter Harrison the *Doyen* of a long line of distinguished architects in this country. For he is the first professional architect who is known to have practised here. At least, without any knowledge of his early life and education in England, we must regard him from the character of his work as a thoroughly trained architect. Abraham Redwood had given a collection of books, and Henry Collins had provided a plot of ground for a library in Newport, and Peter Harrison was called upon to plan the building and make the drawings for its erection. In the original "Contract; Erection of Library Building," which is dated August 9, 1748, the body of the paper recites that it is to be erected according "to a plan or Draught drawn by Mr. *Joseph* Harrison"; but six months later "Articles for Building the Library," under date of February 6, 1748/9, stipulating for certain changes from the original "Contract," recites according "to a plan or Draught drawn by Mr. *Peter* Harrison." The "Contract" and "Articles" will be found in the appendix to Mason's *Annals of the Redwood Library* (488–491), where the "Contract" is printed without signatures, as though it had been left unexecuted, but, by referring to it in the "Articles," which is duly executed by the signatures of Samuel Wickham, Henry Collins, and John Tillinghast, it is incorporated in and made part of the later paper, the two being read together as one document.

The appearance of the name of "Joseph Harrison" in the "Contract" has caused some persons to question that Peter Harrison was the sole architect of the library building, but it seems quite clear to me that the introduction of the given name *Joseph* instead of *Peter* was a mere slip of the scrivener in engrossing the instrument, which error was considered cured, without noting, by placing the name of Peter Harrison in the later and executed "Articles." The edifice thus provided for

[1] *R. I. Col. Rec.*, v. 189.

was opened for use in 1750.[1] It is a building of classic architecture, originally a Roman temple, of the Doric order, and the exterior stands to-day as it came from the builder, only being added to in a way that does not seriously interfere with the original structure. The pediment in the front is supported by four columns beautifully curved in perfect entasis, the columns without flutings and the pediments without ornament or sculpture. The building is of wood upon a rustic basement of Connecticut brownstone and broad steps and buttresses of the same material. In the past year (1915) "the central hall has been remodelled in a manner both dignified and entirely in harmony with the features of Peter Harrison's work that remain on the earlier parts of the building." [2]

While engaged upon the Redwood Library building, Harrison was invited, in April, 1749, to make plans for rebuilding the King's Chapel in Boston, which, owing to a "multiplicity of business," he could not furnish until the following September, when he sent "The Plan — the Elevation of the West Front — the Elevation of the South Front — the Section — Breadthways — the Plans of the Steeple — the Plans of the Pews," with which "the committee were well pleased and accepted them." [3] In addition to the library building Peter Harrison designed for Newport the Brick Market House, built in 1761, eighty years later to become the City Hall, which unfortunately has been altered into a business mart, and the Jews' Synagogue, dedicated in 1763, which is still standing in practically its original state. To be in readiness to help preserve the buildings he designed, Peter Harrison and his brother Joseph became, in 1749, members of the "Hand and Heart Fire Club" of Newport, and in September, 1750, he was one of the petitioners to the King relative to Bills of Credit.[4] His interest in public work continued, and on January 10, 1757, the Assembly appointed the Speaker of the House and Peter Bours, Esq., "to wait on Captain Peter Harrison and render him the thanks of this government for all favors they have received from him; and in particular for the two plans of the Fort; and

[1] Mason, *Annals of Redwood Library*, 36.
[2] *Bulletin Rhode Island School of Design*, July, 1915, 6.
[3] Foote, *Annals of King's Chapel*, II. 82.
[4] *R. I. Col. Rec.*, V. 312.

to request him to lend another of said plans unto the commissioners appointed to wait on his Excellency the Earl of Loudon at the Congress in Boston." [1]

Harrison was a pew holder in Trinity Church, Newport, in 1755, and in 1762 was an underwriter for the enlargement of the church building. The previous year Christ Church, Cambridge, Mass., was opened which had been built from his designs, and the structure was spoken of as a "masterpiece of simplicity and beauty." That he was regarded at that time as a "professional architect" seems certain from the language of the letter of thanks written by the committee to the Society for Establishing a Mission at Cambridge, November 24, 1759: "We have applied to a *masterly architect* for a plan and propose to build a handsome church of wood." [2] Two years later we find the brothers Harrison removed to New Haven, in the Colony of Connecticut, where in 1768 Peter Harrison was made Collector of the Customs, his brother Joseph having been given two years earlier the like office in Boston.[3] In his history of Trinity Church, New Haven, Judge Croswell tells the story,[4] which he afterwards discredits, how "In 1768 Peter Harrison, Esq., from Nottinghamshire, in England, the King's collector at the port of New Haven, claimed his right of searching the public records," and discovered one leaf in the Will Book much thicker than the others. "He put a corner of the thick leaf into his mouth, and soon found it was composed of two leaves, which with much difficulty having separated, he found Grigson's will," thereby recovering for Trinity Church valuable real estate left to it by Thomas Gregson, an early settler who had died some years before in England. This is the last note we have on Harrison until we come to the last notice we have of all of us, the record of his death, on April 30, 1775, and his burial at Trinity Church, New Haven, on May 7.[5] He was survived by his wife, Elizabeth Pelham, nine years, but the place of interment is unknown. By one of those odd freaks that sometimes creep into staid official records, the Probate Court,

[1] *R. I. Col. Rec.*, VI. 13.

[2] *Re-opening of Christ Church, Cambridge*, November 22, 1857, 22.

[3] Joseph Harrison was appointed Collector of the Port of Boston, October 28, 1766.

[4] *New Haven Hist. Soc. Papers*, I. 48–49.

[5] *Ib.*, 59.

at New Haven, records that on May 18, 1775, "his widow *Mary* Harrison was appointed administratrix of his estate."

The careers of the brothers Harrison were so intimately associated, they being engaged together in mercantile pursuits in Newport, dealing in wines, rum, molasses, and mahogany, that it is not out of place to supplement the story of Peter Harrison's life with some incidents in the life of Joseph. He was born November 25, 1709, came to this country, as we have seen, circa 1745, and on July 4, 1748, was chosen a director of the Redwood Library. On February 24, 1749/50, the Assembly of Rhode Island named him and three others Commissioners "to run or perambulate the northern boundary line of this colony," with Massachusetts, which on March 16, 1750/51, they reported had been done.[1] He evidently had the laboring oar; for, September 6, 1756, the Assembly resolved "that the mathematical instrument now in the colony house, and which was procured by Captain Joseph Harrison for the use of the Colony, be lodged in the Redwood Library; but so that the property remains in the colony."[2] In January, 1762, the Governor wrote to him inquiring into a grant that the Colony asked of the Crown, and the *New London Gazette* of October 26, 1764, says that "Jared Ingersoll and Joseph Harrison of New Haven Esquires sailed from hence on *Prince Henry*, Captain Robinson, for London"; Ingersoll doubtless to look after his appointment as Stamp distributor, and Harrison for his appointment to the collectorship of the port of Boston. At all events each not very long afterward received his commission. It would seem, however, from letters in the Franklin MSS. that Harrison was also intrusted with a petition to the King asking for a Royal Government for Rhode Island, which Franklin was urged to facilitate.[3] Joseph and Peter Harrison were elected members of the American Philosophical Society at Philadelphia, April 1, 1768, which was looked upon in those days as equal to a crowning by the French Academy. Joseph Harrison returned to England soon after the breaking out of active hostilities in the Revolutionary War and died there January 15, 1787. He had two children born in Rhode Island, Richard Acklom (1750–1813) and Elizabeth

[1] *R. I. Col. Rec.*, v. 281, 322. [2] *Ib.*, 512.

[3] Letters from Martin Howard Jr. dated Newport, Nov. 16, 1764 and May 14, 1765 (American Philosophical Society).

(1759–1818). Neither married, and it was the daughter's death intestate that caused the suit at law described above and that has given the genealogical details here recorded. Portraits of Peter Harrison and of Mrs. Harrison, painted shortly after their marriage by John Smibert, are in the possession of their descendant Mr. Shipley Jones, before mentioned, of which copies were presented by the family to the Redwood Library in 1869.[1]

Mr. MORISON communicated the following notes and documents on

A YANKEE SKIPPER IN SAN DOMINGO, 1797.

It was a pleasant surprise when, going through a file of very dry diplomatic correspondence in the Public Record Office at London, I discovered this picaresque letter from a Yankee skipper describing his adventures at San Domingo. Its endorsements, with the accompanying note from Sir Hyde Parker, explain how the letter got into such respectable company. The British authorities were interested in the startling information imparted to Captain Morris by the fair Nannette "in the tender hours of dalliance." These communications must not be taken too seriously, but the letter gives a realistic picture of the state of affairs at San Domingo while Sonthonax, the chief commissary of the French Republic,[2] was endeavoring to maintain himself against Toussaint L'Ouverture,[3] and of the difficulties of neutral commerce while the French spoliations were at their height.[4]

[1] Reproductions are in Updike, *History of the Episcopal Church in Narragansett* (2d ed.). See also *Bulletin* of the New England Society for the Preservation of Antiquities, VI. No. 2. [ED.]

[2] Léger-Félicité Sonthonax (1763–1813), a lawyer and editor, who believed in the slave policy of Condorcet and Brissot. "Sonthonax avait une âme ferme et haute, un esprit cultivé, beaucoup de desinterressement; et c'est surtout à la constance de son dévouement à la cause de la liberté qu'il faut attribuer les persécutions et les calomnies dont il fut l'objet." E. Regnard in *Nouvelle Biographie Général*, XLIV. 185.

[3] For the historical background, see T. Lothrop Stoddard, *The French Revolution in San Domingo* (Boston, 1914), chapter XXII.

[4] Cf. the letter of Victor Du Pont to Talleyrand, *supra*, p. 67.

ADMIRAL SIR HYDE PARKER [1] TO EVAN NEPEAN.[2]

QUEEN, CAPE NICOLA MOLE, 26 April, 1797.

SIR, — Singular as the enclosed Copy of a Letter may appear; I have thought proper for the information it contains, to transmit, and to desire you will be pleased to lay, it before my Lords Commissioners of the Admiralty. I am, Sir, Your most obedient humble servant,

H PARKER.

EVAN NEPEAN ESQR.

[Endorsed] 6 June. Send Copy of enclosure to Mr. Canning[3] for Lord Grenville's information.[4]

CAPTAIN SAMUEL MORRIS TO ————.

CAPE FRANCOIS, Feb^{y} 28th, 1797

DEAR PETER, — From our mutual friend Ruben Atkins I was surprized to hear that he was told you were carrying on a great stroke of business at Turks Island, after you wrote to us you were settled so much to your satisfaction at Surinam. At this damned Place I have been long amongst a parcel of Villains, trying to procure payment for the Merchandize taken from me by the Commissaries; at last I have succeeded — no thanks to them, but some fair friends with whom I scraped an acquaintance, and to whom I owe every thing. Without their assistance, I should, like the rest of my Countrymen, not have got a Sou. In two days, or sooner if possible, I shall leave this place, for I stand on ticklish ground I assure you; and when you have read what I am going to relate you will say it is full time to make a natural dash, if I wish to escape the Guillotine, or Lamp Post. Such a tale I have to unfold as will make you shudder, but to begin in form. You know Peter I was always a favourite with the Girls and that I have a good Person well set off by a Je ne sais quoi in the air or *manner*, this you must acknowledge, tho' you often told me I was a damn'd Puppy, instead of Studying law with old Square Toes to go to learn French and dancing with a New Master, when I was a complete dab at Hey Rob. and Statia [5]

[1] (1739–1807), second of that name, and then in command of the West India Station.

[2] The Secretary of the Admiralty.

[3] George Canning was then an undersecretary in the Foreign Office, under Lord Grenville.

[4] This document, and the following, are in the Public Record Office, F. O. 5. 21.

[5] Probably a reference to the Dutch island of St. Eustatius, a great centre of smuggling during the American Revolution.

Girls. But this, Peter, was downright envy and jealousy in you, because your favourite Jenny Green always preferred me as a Partner. You remember how you used to swear whenever I took her by the hand at Cousin Riddle's. I hope you have left off that custom of swearing "By Zounds," "Darn it," "I swear now, Mate," as it is quite out of vogue. Well, Peter I will leave you to judge whether I have not brought my dancing and palavering French, for which you often laughed at me, to a pretty good account.

On my arrival here my Property (and a good assortment it was) was put in requisition. This I bore with a good Grace, and in good French too — mark that, Peter. I gave them, as it was needless to compliment, a sample of Democratical slang on Liberty and Equality, and when an occasion offered was the first at a Civic feast to dance and sing *Ça Ira* and the *Carmagnole*, with the best of them; instead of drawling out your *America, Commerce and Freedom*, whilst my brother sufferers with woeful faces as long as my Arm were groaning over the "Deacon's notions" and long lace. Well, what think you, Peter, I did to recover my property? Why, you made a hue and cry and put forth a lamentable petition to the Municipality. No such thing I assure you, Peter —all weeping and gnashing of teeth would answer little purpose here. Why then, I suppose you will say, I joined in a lengthy complaint to Congress. You are still wide of the mark. No, no Peter, it is not the interest of the Jockies of the Congress to advocate such a business whilst Adet[1] has any credit left with the Republic. Why then, what the Devil did you? I'll tell you, Peter — by dint of perseverance, some patriotic blarney, with a small dash of American modesty. I caperd, sung and ogled myself into the good graces of Santhonax's *fair family*. There I fell on my feet let me tell you, and you may guess if I did not profit by my good fortune. By this connection I came to the knowledge of some secrets, the revelation of which will make you shudder and also shew you the peril of an intrigue with the connections of such a *Cut-Throat Rascal* and Incendiary. I almost tremble when I think of my situation here, and such has been my situation for some time past for fear of discovery that I have felt regularly every morning if my head was safe on my shoulders. I shall now proceed Peter to give you an account of my adventures here.

My fair Nannette who is a great favourite of Santhonax and affects to be a mighty Politician, and besides being as clever and knowing a Girl as your friend Dolly Tipkins, writes a good running hand, and is employed by Santhonax in copying his dispatches. She tells

[1] The French minister at Philadelphia.

me, and I think it probable, he intrusts her with all his secrets. (By-the-by, Santhonax wishes to be very intimate with her but is devilishly afraid of his Wife, who is of a jealous temper), but of this judge yourself, Peter, by what follows. Nannette, who believes me a true Democrat and that I will return to the Cape and marry her, told me in the tender hours of dalliance that Santhonax has been much disappointed in not acquiring the wealth he expected through his Wife's and his own interest with the Brigands. He has been *fouter*-ing and *peste*-ing ever since his arrival to find himself suspected and distrusted by his black friends, and his brother Commissaires who expected pretty pickings; and are mighty disappointed to see that Santhonax from not having made a fair division of the plunder of Hispaniola had become very obnoxious to the Negroes. However, Santhonax and the Commissaries are determined to realize a fortune by some means or other. In the first attempt they were baffled, which was to remove some Brigand Chiefs unfavorable to their views, and to make a number of the Negroes work in the name of the Republic for them. This step threw the whole Island into a flame and the Commissaries began to have serious apprehensions for their own safety; but they are now relieved from their fears by the severe drubbing the British gave the Brigands to the Southward which will keep them quiet from necessity — at least for a time.

On asking Nannette what could be the motive of the Executive Directory for giving orders to seize American property, she told me it was from necessity, as they could not procure friends [funds] to supply the colonies with Stores and Provisions, and that they were vexed to find the Americans would not take an active part against the British, but that they were resolved whilst the Americans were off their guard to render their enmity or friendship of little consequence to any nation. The Commissioners in their private instructions are directed to make the speediest and best use of their orders for destroying the American Commerce; and that proper instructions would be dispatched to Adet, who with the American Patriots would assign sufficient reasons for so strong a measure, that it was expected the Americans would grumble and remonstrate long before they would think of biting, but steps would be taken speedily to deprive them of the power of doing so much mischief — so that a few months at least could be gained in negociation, and in that time a sufficient quantity of Provisions and Stores would be secured, and it was expected that if this measure was speedily and well executed the American Aristocrats would be deceived, the British Credit destroy'd, and from the greatness of their loss they would be reduced to a state of equality more favourable to the interest of the Republic.

This Peter bad as you may think of it is not the worst of it, for I find from Nannette, they mean to play the same game in America they have done in the West Indies.

In a letter to Santhonax from the Executive Directory, for he is the only Commissary Nannette says they will implicitly trust, he is ordered with Adet to leave nothing untried to ruin the British and American Merchants and to employ proper Agents to execute this purpose. On my asking her in what manner, she answered by the destruction of the Depôts of Merchants in the Towns,[1] and that Santhonax had written to Adet that the best mode and least liable to detection would be to employ a few Cape Agents who were well trained, and many of them living in Seaports of America, of whom he sent Adet a List; and at the same time proposed to him, if he would undertake the business to the Northward, that he could furnish and send from the Cape a sufficient number who would volunteer it to the Southward. The business she said had been partly executed to the Southward, as some of the Agents had returned, received their reward, and gone back with fresh orders, but that little had been done to the Northward. She said Santhonax was much vexed with Adet, who he said was a pitiful Poltroon, afraid of his own shadow, for in case of any Suspicion or even discovery, he might easily shift the odium from himself to the Emigrants and British and he swore, with the Agents he pointed out to him, who were men of tried experience and fidelity, Adet might by this time have made a *feu de joie* of every Town on the Continent, instead of his paltry squibbing matter.

Did you ever hear Peter of such a couple of infernal Villains? There is not a place in Hell hot enough for them. Only think of my loss, £600 "by zounds," every Copper, for as W.* Williams who was brought in here the other day says the house Aunt Dianah left me is burnt to the Ground, as also Cousin Bens. Oh! Curse on the Rascals! how many thousands will be ruined by their damned Machinations and Plots! I would instantly I swear shoot Santhonax through the head if there was a possibility of escaping. The Commissaries expect a fine Harvest from their seizures and from what I know of them the *Republic* will be little benefited by their Acts

[1] This information, though from a source of doubtful value, would seem at first to confirm certain rumors of impending arson by French agents, that were current in the United States at this period, and made much of by the Federalist press. But there is no hint of any such plan in the correspondence between the Directory and Adet, which I have examined carefully; and Mr. T. Lothrop Stoddard, who has examined the correspondence between the Directory and the San Domingo Commissioners, tells me that no such instructions were sent to Sonthonax.

* Not clear [copyist's note].

of Piracy. No less than 167 Sail of Vessels have been seized and carried into the Cape, the out ports and Cuba since they received the Orders of the Directory, and I am sorry to say that it was from this fund the Commissaries paid me, telling me that I was a true Sansculotte and worthy of being a French citizen. Damn their Citizenship, I say. The Commissaries have given me a Pass for any Vessel and Cargo I may bring from America, and Commissioned for a number of dry goods for their families. I thought Santhonax when he gave me the order smiled, as much as to say, "Monsieur, you will find few goods in America on your return!" But Peter, if ever they catch me here again, I will give them leave to guillotine me and barbecue me into the bargain. Every Vessel they can lay their hands on, they are turning into a Privateer, and I am told the Spaniards are following their example. When I arrive I shall write to you by the first Vessel bound to Turks Island. I send this by R'd Davis who says he will forward it either from the Mole or Kingston. Do let me hear from you, Peter, as soon as you can.

I am, Peter, your true Friend and well wisher

(ss) SAM^{L} MORRIS.

Signed — a True Copy from the Original Taken by me at Turks Island this 3rd April, 1797.

JOHN WRIGHT
Justice of the Peace at Turks Island.

P.S. I suppose you will be sorry to hear that old Uncle Nathan is dead, and I guess of a broken heart. You know he was a great follower of the Baptists. He fell desperately in love with a Baptist Sister; you remember that Stiff Piece of Sanctity; prating Sinning Leah, who always groaned and sighed at the sight of a fiddle — the very same. By the persuasion of the Baptist Preacher (it is said) he married her 6 or 8 Months ago. My old Uncle wrote to me that he had been very lonesome since my Sister Sally had left him, and that he had taken a pious Maiden for an helpmate, and it had rejoiced his heart exceedingly that the Lord had given him a chosen vessel to be the comfort of his Age (a cracked Pitcher he meant, Peter) for would you believe it, this Pious Maiden this chosen Vessel 5 or 6 Months after they were married brought him Twins — two strapping Boys. Old Nathan never held up his head after. Joe Benson mentions to me in his letter that it was the Baptist Preacher who tipped Uncle Nathan — *an old Trader!*

(ss.) S. M.

(A True Copy) J. WRIGHT J. P.
Turks Island, 3^{d} April 1797.
Copied from a Copy taken by Captain Fowke of the *Swallow* Brig — from the above regularly attested one. (Signed) A. J. SCOTT.

The Editor submitted for publication the following article by William Alexander Robinson, of Washington University, St. Louis, on

THE WASHINGTON BENEVOLENT SOCIETY IN NEW ENGLAND: A PHASE OF POLITICS DURING THE WAR OF 1812.[1]

The history of New England during the second war with Great Britain can hardly be considered inspiring even by fervent admirers of that section. For more than a decade the region had been the scene of one of the bitterest contests in the history of American politics. Jeffersonian Democracy had gradually conquered, stubbornly resisted by the local aristocracy of the towns and by the Congregational Church. Parties had been based largely on social lines, and the natural bitterness of such a division had been aggravated by religious and commercial issues. Federalists charged that the commercial policy of Jefferson and his successor had been the result of utter indifference or even of active hostility to New England interests. Republicans replied that the Federalists were more devoted to commerce than to upholding national rights. "So attached are our seaports to bargains," wrote Parson Bentley shortly before the Embargo, "that we should hardly be induced to believe that they would think of considering public liberty the best bargain."[2] Attachment to the cause of one or other of the great European belligerents increased antagonism, and when it seemed probable that war would soon break out with either France or England, people seemed to lose sight of their own country while defending their foreign favorites.[3] When war with Great Britain finally began, it found the New England Federalists bitterly hostile to their own government. In a region which a few decades later gave freely of blood and treasure to preserve the nation, secession was openly proposed, and

[1] The Washington Benevolent Society has received only occasional mention from historians. The only connected account is Harlan H. Ballard's "A Forgotten Fraternity," *Collections of the Berkshire Historical and Scientific Society*, III. 279–298, which contains interesting descriptive material and special references to the local Berkshire society.

The attention of the present writer was first drawn to the subject in the course of a study of Jeffersonian Democracy in the New England States. Dr. Samuel E. Morison, of Harvard University, who refers to the society in his *Harrison Gray Otis*, has called his attention to certain phases of the subject, and his interest and assistance are gratefully acknowledged.

[2] *Diary of William Bentley*, III. 316.

[3] Cf. Spooner's *Vermont Journal*, January 15, 1810: "The care of those nations, the defense of their claims, and apologies for their errors and crimes, seems to be the labor of too many of our writers."

some of its leaders engaged in discussions hardly less than treasonable. Some years after the war a Republican paper thus described the situation: "Upon the declaration of war that flame of faction which had so long been kindling, suddenly burst forth, and for a time, leveled all patriotism, all political honesty, in its progress. Every engine of abuse and scurrility was put in operation, every species of intrigue, of bribery, and corruption was practiced to draw the people into a state of open rebellion against the constituted authorities of the country, and as an incipient step to this consummation so devoutly to be wished, to make them federalists."[1] Undoubtedly the above description is exaggerated, but it contains a large element of truth.

An interesting feature of the period was the introduction by the Federalists of one of those curious organizations which have appeared at different times in American politics, attempting to further political objects under a guise of secrecy and fraternal association. The critical condition of national affairs in this period and the fact that it was one of the first important efforts of its kind lend a certain interest to the activities of the Washington Benevolent Society.

The first appearance of this organization in New England was in Rhode Island, where branches were established in 1810 in opposition to the Columbian Order or Tammany Society which had flourishing lodges among the Republicans. The *Rhode Island Republican* on July 25 warned people against them as "wolves in sheep's clothing," their real design not benevolence or fraternity, but to unite all enemies of the government and oppose the execution of Congressional laws. In the next two years the society appeared in all the New England states and numbered its members by thousands.[2]

Extra-legal political organizations were not popular in the United States at this time. Parties felt constrained to keep their operations secret and had shown great joy in exposing the operations of their opponents who were unprincipled enough to maintain a committee system for getting out the voters. A tremendous uproar had been raised a few years earlier when sympathizers with Revolutionary France had organized the Democratic Clubs. An interesting comment on the appearance of the new society runs:

> Who but remembers the uproar which agitated the whole continent a few years ago, at the formation of several small societies for the purpose of counteracting the policy and designs of Hamilton and his Junto. These were then represented as formidable conspiracies against Government, nurseries of rebellion, threatening the demolition of order and regular subordination. The strong arm of power was exerted to crush them in their infancy. . . . The very authors of

[1] *National Aegis*, September 22, 1819.

[2] See M. W. Jernegan, *The Tammany Societies of Rhode Island*, 29.

the outcry are now incorporating themselves into societies for the purpose of overawing the Administration and spreading disaffection of their authority. . . . What would be said if the government should attempt to put the confederates down? What would be said at a revival of the Sedition Law? [1]

A great change in American political consciousness since the Federalist era is shown by the absence of any such repressive action.

It is not easy to trace the establishment of an order of which secrecy was an essential characteristic, but the Republican press furnishes considerable evidence of its operations. Contemporaries seem to have been ignorant of its origin. Some attributed it to Baltimore, others to Philadelphia, still others to Canada.[2] Mathew Carey, regarding Boston as the headquarters of all political iniquity, claimed it had also originated this treasonable society.[3] As a matter of fact, it was organized in New York in 1808 for the purpose of contesting the growing power of the Tammany Society.[4] Some years earlier, Alexander Hamilton had suggested, as a method of meeting the encroachments of democracy, a great social and political organization which should include all classes in its membership and give the natural leaders a chance to exert their influence. The society embodied a number of his ideas.

Except for the Rhode Island branches, the order appears to have entered New England across the New York line. Many societies were established in Vermont in 1811, while, with the exception of a branch at Pittsfield, the order does not seem to have made much progress in Massachusetts and New Hampshire until the spring of 1812. "It is like Henry and the Canada thistle, making its way from north to south," declared a Boston paper soon after a branch had been organized in the latter town.[5] Vermont was a stronghold of Republicanism, and the Federalists undoubtedly hoped that the Washington Benevolent Society would prove a valuable aid in regaining control. In August, 1811, it was announced that secret societies were being established "from the Canada line to New York" with the object of favoring British commerce, opposing re-

[1] *National Aegis*, November 7, 1810.

[2] *New Hampshire Patriot*, March 2, 1813, April 4, 1815; *Independent Chronicle*, April 23, 1812; *Boston Patriot*, April 1, 1812. *The Green Mountain Farmer*, published at Bennington, Vermont, February 25, 1812, urges as a reason for the conquest of Canada "their incitements to secret treasonable societies among us" and because it served as an asylum for "counterfeiters and villains."

[3] *The Olive Branch*, 481.

[4] Harlan H. Ballard, *A Forgotten Fraternity*, 290.

[5] *Independent Chronicle*, April 23, 1812. A reference to John Henry, the British spy, whose disclosures had recently been purchased by President Madison in the hope of discrediting the Federalist leaders of New England. These documents were of little value, but were exploited by the press in such a way as to arouse considerable feeling.

publicanism, securing a separation of the states, and uniting all local opposers of the government.[1] Later in the year it was reported that a convention of members had met at Vergennes and that many town societies had sent representatives.[2] In February another paper states that "fever among the Windham county members has produced effects similar to hydrophobia in the canine race" and that they were "running from town to town" establishing local units of the order.[3] Two months later it is declared that the societies are to be found in almost every town in the state, many of them having been quietly established during the preceding December "by Parson Blaisdell from Montpelier" under pretence of improving morals.[4]

During the same winter there was great activity in Massachusetts. The *National Aegis*, on March 25, reports that two eminent Federalists of Worcester had gone the preceding week "all the way to Northampton and there together with twenty-five others were initiated into the mysteries of the Secret Association." The Federalist paper a week later congratulates the town on the introduction of "this excellent and highly respectable society" which already had a membership of "upwards of one hundred of our most respectable citizens." [5] This incident is typical of what was happening all over the state.[6] In New Hampshire at the same time it is reported that the societies "are springing up like mushrooms in the shade, in the principal towns where can be found a sufficiency of political imposters to make a respectable number." [7] The society made little effort apparently to enter the District of Maine. The latter was a stronghold of radical Republicanism, bitterly opposed to Massachusetts Federalism, and intensely loyal to the national Administration. It is reported that Fryeburg had the only branch of the society to be found in the District.[8] In Connecticut Republicanism was exceedingly weak. Jefferson's followers had made strenuous efforts to overthrow the Federalist oligarchy which controlled state politics, but had made little headway. Apparently Federalist supremacy was too secure to need the assistance of the societies, and although a number were established in the state, they do not seem to have attracted much attention.[9]

[1] *Green Mountain Farmer*, Bennington, August 5.
[2] *Washingtonian*, December 9, 1811.
[3] *Vermont Republican*, February 10, 1812.
[4] *Ib.*, April 6.
[5] *Massachusetts Spy*, April 1.
[6] *Boston Yankee*, April 3.
[7] *New Hampshire Gazette*, April 14.
[8] *Eastern Argus*, March 17, 1814. Among the papers of the Boston Society, however, there is a letter requesting assistance in establishing a branch at Hallowell.
[9] *Connecticut Courant*, March 1, 1814.

What were the professions of the organization? The Massachusetts Historical Society has preserved the records of the Boston branch, and there may be found its constitution. The preamble, like so many Federalist documents, goes back to the golden age of Washington's administration, when "the people were prosperous in their industry, the government was respected by foreign nations, and the commercial prosperity, the wealth and the power of the United States were augmented to a degree without precedent and beyond the most sanguine expectation." Then came the evil days of Democracy, when wicked men misled the people. To restore the old-time conditions, therefore, the society was pledged "to support the constitution of the United States in its original purity, to have the government administered with fidelity, wisdom, and ability, to oppose all encroachments of Democracy, Aristocracy, or Despotism," etc. Besides these general objects, the society pledged itself to relieve cases of individual distress among citizens, to care for Revolutionary veterans and their dependents, and to inculcate the precepts of Washington in the minds of the rising generation.[1]

Contemporary opinion refused to accept the organization's professions of benevolent purposes, and existing evidence does not show much activity of that sort. The records of the Boston society show only two or three trifling gifts for charitable purposes. "The credulous are made to believe that benevolence is the grand object," says a Vermont critic. "Some acts of charity are undoubtedly performed to blind the eyes of their deluded followers and to stimulate others to become members."[2] A few months later a complaint is made in the same state that there is little charitable work being done, and yet one society could spend $140 for silk flags and badges.[3] "Who has heard of a solitary instance of their benevolence since they were organized?" runs the challenge of a Massachusetts contemporary.[4] Another comments on the fact that few paupers were to be found in the localities where the societies were most numerous (northern New England), and that the existing institutions, Masonic and public, could take care of the few cases of want occasionally to be found.[5] A Berkshire writer compares the charity of Bain-

[1] See *Boston Yankee*, April 30, 1813. In regard to education, "They have collected a number of children and led them to be educated like Colts to the menagerie, to be bridled with restraints, to be saddled with prejudices, and jockied about by party spirit. When trained sufficiently in this charity school, they are to be bound out to Faction to learn the trades of Sedition and Treason."

[2] *Vermont Republican*, February 24, 1812.

[3] *Green Mountain Farmer*, December 2, 1812.

[4] *National Aegis*, August 12, 1812.

[5] *Independent Chronicle*, April 23, 1812. See also *Boston Patriot*, April 18, 1812.

bridge and the crew of the *Constitution* who from their scanty pay contributed $400 to the widow of the sailing master, while a gathering of over two thousand "Benevolents" at Stockbridge raised but $73 for a fellow member who had recently lost his entire property by fire.[1] Some charitable work was undoubtedly performed and in the list of subscribers for the relief of fire sufferers in Portsmouth in 1814 appear the names of eight local societies, some of them for considerable amounts.[2]

That the societies were mainly political in character there can be no doubt. "Their leaders have denied that their object is political. It is as evident as the sun at midday that their objects are not only political, but intended to overthrow the present republican administration."[3] So runs a New Hampshire attack. "Who will believe that great men have backed the order from motives of benevolence? It is for the purpose of giving energy and efficiency to the operations of a Junto and effecting an organized and systematic opposition to the government."[4] These are the words of a Boston editor. "It is a party society, anti-Republican, anti-Washingtonian, anti-Federal, anti-American," declares the *National Aegis*, September 16, 1812. The Federalist press says little about the objects of the association, but the records of the Boston branch furnish conclusive evidence of political character. A letter from a group of Federalists in Marblehead, May 21, 1812, requesting assistance in organizing a local branch, incidentally remarks: "The work of regeneration appears to have commenced among the misled citizens of this place and we wish to afford all the assistance in our power to carry it on to perfection." Marblehead had been a centre of Republican strength. Similar in tone is a letter requesting the same assistance in Plymouth County, dated April 20, 1812. The letter states that the project will be taken up at a party meeting in the course of a few days, and comments on the desirability of establishing branches in every town, reporting to the county officers, who in turn would be "the medium of intelligence to the Head Quarters of Good Principles." "I am seriously of opinion," says the writer, "that if this plan could become universal in each County in the State, by the next year good men would be restored to their stand-

[1] *Pittsfield Sun*, April 1, 1813. "The Prince Regent Malevolent Society."

[2] *Portsmouth Oracle*, April 16, 1814.

[3] *New Hampshire Patriot*, May 3, 1814. Cf. March 2, 1813. "They form an important part in that system of organized opposition that threatens the dissolution of your Union, the subversion of your government, and the destruction of your liberties."

[4] *Boston Patriot*, May 6, 1812. For comment on the efforts of the Federalists to carry Vermont, see *Vermont Republican*, June 8, 22, 1812.

ing in its concerns."[1] And a few years later, a proposal to dissolve the society confesses "that the political purposes for which the society was instituted had been fully accomplished."[2] It is difficult to judge as to the actual results of its activity, but from the alarm and dislike expressed by its opponents it would seem to have been decidedly effective. Berkshire County was carried by the Federalists for the first time in twelve years as a result of its work, according to a Republican authority.[3]

The membership of the society seems to have been all inclusive. The Republicans quoted with great indignation the remark of one of the founders to the effect that its great object was "to collect together the Gentlemen and separate them from the Democrats."[4] This exclusiveness does not seem to have been followed in actual practice. The constitution of the Boston society provides for the free admission of those who may be unable to pay the regular fees, which were usually one dollar initiation and the same for annual dues. A widely quoted exposé by Sylvester Pond, of Castleton, Vermont, states in regard to the membership, "I can truly say they have some of the best and some of the worst." According to him, the character of no candidate was examined, and drunkards, liars, and still more unsavory characters were freely admitted.[5] The *Boston Patriot*, July 15, 1815, describes how "the neediest and meanest of the people" were attracted by means of gifts. In New Hampshire "the distribution of largesses and the insidious employment of constantly accumulating funds" were reported to have similar objects.[6] Bentley states "the body of these associations is of young lawyers and Merchant clerks."[7] Probably a large number of the members were young.[8] Considerable social ill feeling resulted from the spread of the organization. Pond states that "they are the cause of great differences in societies, churches, neighborhoods,

[1] Both the above letters are found in a volume of miscellaneous documents of the Boston branch, now in possession of the Massachusetts Historical Society.

[2] Records of Standing Committee, 74, February 8, 1821.

[3] *New Hampshire Patriot*, March 4, 1814.

[4] *Boston Patriot*, May 6, 1815. "Democrat" was still a term of reproach.

[5] *Independent Chronicle*, April 16, 1812. Cf. *Vermont Republican*, February 24, 1812. "Tories, monarchists, and aristocrats are received with open arms without regard to character or reputation."

[6] *New Hampshire Patriot*, March 2, 1813.

[7] *Diary*, IV. 87. He describes the Washington's birthday celebration of the Salem branch as distinguished by "rude toasts and political insults," after which "they sallied at midnight into the streets yelling and destroying property as a proof that they held fast to the rules of good order and public peace."

[8] Cf. *New Hampshire Patriot*, March 2, 1813. "The novelty of these societies has excited numbers to join them, particularly the young and credulous. Upon this portion of the society they rest their principal hopes for success."

and even in private families." Another report states that "Churches are separating, dissolving, and dismissing their pastors in various places amidst the ravages of disunion in consequence of the Washington Benevolent Societies." [1]

The Republicans at first viewed the spread of the societies with alarm, which later seems to have changed to ridicule and dislike. On April 14, 1812, the *New Hampshire Gazette* remarks: "The establishment at the present crisis of our public affairs of this institution with branches in several parts of the union is seriously alarming and demands watchfulness and careful inspection by the friends of liberty." In Vermont a Republican meeting was called at Windsor "for the purpose of investigating and enquiring into the origin, progress, and designs of certain secret self-created societies in various sections of our country." The resolutions adopted by this gathering condemn the associations as seditious and treasonable and warn all good citizens to be on guard against them.[2] Not long after, there appears a call for Republicans to organize "committees of safety" in every town, inasmuch as the Benevolents were actively working for a separation of the states.[3] Resolutions adopted by conventions in a number of different localities have the same tone.[4]

The *National Aegis* on August 12, 1812, declared that ridicule would be the most successful weapon "against the puerile, ridiculous ostentation of the mushroom Washington Clubs which are springing up in all parts of the land." Ridicule did play a large part in the campaign against them. Republican newspapers, orators, and pamphlets found abundant material for satire. One of the most amusing satires is entitled "The First Book of the Washington Benevolents, otherwise called the Book of the Knaves," published in Boston in 1813 and followed at intervals by second, third, and fourth "books." The preface to the fourth book which appeared in 1814 comments on the success of the preceding volumes as "an exposure of hypocrisy and fraud," and declares that "it proves that folly and deception, although they may for a time, by the aid of Roses, Flags, and other Baubles lead the weak and unthinking

[1] *Vermont Republican*, June 1, 1812. The *Pittsfield Sun*, April 1, 1813, complains that the societies have carried partisanship to the point where non-members were not allowed to take part in the funeral ceremonies of Federalists.

[2] *Vermont Republican*, March 9, 1812. . . . .

[3] *Green Mountain Farmer*, July 10, 1812; see also November 18.

[4] See *New Hampshire Patriot*, February 23, 1813. The resolutions of the Fourth Senatorial District meeting charge the societies with secessionist activity. *Pittsfield Sun*, March 25, 1813; Berkshire County resolutions, *Boston Patriot*, September 12, 1812, Worcester County. March 21, 1813, Plymouth County resolutions.

astray, must eventually give way to the power of truth, and the sharpest of all weapons, the power of ridicule." [1]

In 1815 it was suggested that Union Societies with Committees of Vigilance should be formed throughout New England to stimulate loyalty and check any further secessionist tendencies. Circulars proposing such an organization were sent around, but the great change in feeling which accompanied the return of peace seems to have caused the abandonment of the project.[2]

The public exercises of the society readily lent themselves to ridicule. These took the form of processions on Washington's Birthday, the anniversary of the first inauguration, or the Fourth of July, usually composed of a militia escort, guests, the officers of the society, boys in uniform wearing wreaths and carrying copies of the farewell address, and the divisions of the society, each with its marshals and banners bearing allegorical devices. Great pomp and ceremony attended the Boston celebration of April 29, 1812, when nine divisions were in line. Standards emblematic of such subjects as Independence, Commerce, Peace and a variety of others were carried.[3] This was a type of exercises which occurred at various points in all the New England States throughout the war period.[4] In 1814 the *Boston Patriot*, April 30, suggests that the procession should take the form of a funeral for "Rebellion," and appropriate mottoes for their standards would be "Separation of the States," "Northern Confederacy," "No Essential Injury," "Bulwark of Religion," etc., allusions to utterances of Massachusetts Federalists.

[1] There is a copy of this rare pamphlet in the American Antiquarian Society Library at Worcester. It is throughout a parody on the Biblical Chronicles. An extract describing a "Benevolent" banquet in Boston follows:

"Book II, Chapter VIII, verse 2: And it had well nigh drawn to the third watch of the night, and the morning was beginning to break in the East.

"3. And many of the assemblage, by reason of the strong drink which they had swallowed, reeled to and fro like drunken men.

"4. And their tongues were in continual motion but the words which they uttered were not distinct, and verily it seemed as they had mittens upon them.

"5. And they were exceeding noisy and sang songs and swore oaths, and did commit other acts of folly and wickedness.

"6. Yea, they took the vessels of glass which contained the wine and the other liquors, and did throw them at the heads of each other. . . .

"10. And the watchmen who guarded the city, hearing the uproar, rushed in among them.

"11. And some fled one way and some another, and some were lying motionless on the ground like men slain in fighting."

[2] *New Hampshire Patriot*, April 4, 1815; also *Boston Patriot*, February 15, 1815, the latter drawing its ideas from Carey's *Olive Branch*.

[3] *Columbian Centinel*, April 29, May 2, 1812.

[4] See *Boston Patriot*, May 4, 1814, April 29, 1815. *Boston Aegis*, June 19, 1812.

The procession ought also to include mules bearing the reversed boots and spurs of John Henry and Copenhagen Jackson, and as rear-guard "an Ass, bearing full length Portraits of the Whole Group."

The public exercises were usually followed by an oration and that in turn by a banquet. Toasts drunk at the Newburyport banquet on Washington's Birthday, 1813, are suggestive of Federalist opinion at this time. "The Tree of our Liberties — May the Apes of French policy no longer suspend themselves from its branches, nor the Jackalls of the French Emperor repose in its shade"; "The Thirteen old United States — We object to resigning our Birthright for a hotchpotch with our Red Brethren and prairie dogs," the latter an allusion to the admission of Western states.[1]

The orations delivered before the societies form part of the huge Federalist literature that has accumulated in New England libraries. Sermons, newspapers, broadsides, pamphlets, orations printed by request — all are distinguished by pessimism and distrust in American institutions. They look backward, not to the future. The tone adopted by the society's orators is interesting, as it apparently represents the opinion of the members and justifies to a considerable degree the charges of their opponents. Josiah Quincy, in an oration of 1813, urges the commercial states "to prove they at least have the will to be free. . . . If relief come, and permanent security, it must come from ourselves." Daniel Webster, in an oration on July 4, 1812, expressly repudiates any idea of resistance and insurrection, but is emphatic as to New England's grievances. Similar in tone is one delivered on the same date in Plainfield, Vermont, by Samuel Prentiss. The oration of R. H. Dana, Cambridge, July 4, 1814, laments "the shame, the hardships, the declining virtue of this once proud and happy people." Of a more radical type is the Washington's birthday oration of Josiah Dunham at Windsor, Vermont, 1814. There is a savage attack on the war policy of the Madison Administration, and a comparison is made between the tyranny of the Democrats and that of George III, the same remedy being justifiable in both cases. "The unfeeling Harrison, who could feast his eyes and glut his vengeful soul" on the sight of burning Indian villages, is cited as an example of the spirit animating the war party. Then come the customs officials who were trying to suppress trade with the enemy, "a pimping, privileged spy at almost every corner." "I would adhere to the Union as long as the Union affords equal protection to its political members. . . . There is a point beyond which its Friends in New England cannot go. There

[1] *National Aegis*, March 3, 1813. Some other toasts and rhymes are decidedly coarse and indecent.

are two things dearer to the Whigs of the North than the Union, COMMERCE and FREEDOM." With audiences listening to and applauding such utterances, it is not surprising that the Republicans questioned their loyalty.[1]

The societies flourished throughout the first two years of the war, but there seems to be a decline in their activity in 1814. The members were charged with a variety of offences during the war. Says the author of the "Fourth Book of the Washington Benevolents" in his preface, "The Benevolent Society men have been detected in aiding the enemy. Nine tenths of all the evasions of law have been committed by Washington Benevolents; nine tenths of all the smugglers are members of that society," etc. Captain Isaac Hodsden, Thirty-third United States Infantry commanding at Stewartstown, New Hampshire, reported that he had secured evidence that "almost every man of the Peace Party, alias Washington Benevolent Society, in this vicinity has been concerned in this unlawful trade with the enemy."[2] Similar offences were said to be common in Vermont.[3] Undue interest in and charity for British prisoners is a subject of complaint in Massachusetts.[4] Discouragement of enlistments is another alleged offence of the New Hampshire members.[5] That all of these offences occurred in New England during the war is unquestionable, but it is only fair to state that there is no evidence beyond their opponents' charges to show that the societies were concerned therein.

After the close of the war the society ceases to attract attention, although it lasted for some years in a moribund condition. "The ridiculous farce which has been got up for two or three years past, under the name of 'Washington Benevolence' has this year very properly been hissed off the stage," says the *Boston Patriot*, February 24, 1816. "We saw no great nor little boys with fantastical wreaths and roses, no army with banners; no horses, mules, or asses." The same issue records "That the measure of their degradation may be full to overflowing, we learn from Philadelphia that a Washington Benevolent Society for colored people has been there

[1] All the above orations are to be found in the remarkable pamphlet collection of the American Antiquarian Society. See also oration of Andrew Bigelow, Cambridge, 1814; Lewis Bryce, Templeton, Vermont, 1813; L. Knapp, Newburyport, Massachusetts, 1812; Abiel Holmes, Cambridge, 1813.

[2] *New Hampshire Patriot*, March 29, 1814. Cf. April 5. "In the two upper districts of Coos County which border on the Province of Lower Canada, the most wicked and damnable treachery and intercourse has been practised with the enemy by the Washington Benevolents of that and other parts of the State."

[3] *Vermont Republican*, March 23, 1814; see also June 29, 1812.

[4] *National Aegis*, December 15, 1813.

[5] *New Hampshire Gazette*, September 21, 1813.

instituted." The society of Windsor County, Vermont, had been advertised as "Dispersed and Strayed" some months earlier.[1] The records of the Boston branch show that it practically ceased to exist as a society in 1816. Occasional meetings of the standing executive committee are recorded at long intervals, until in 1824 formal dissolution occurred, its property going to the Bunker Hill Monument Association. Little information is to be had about the large number of rural societies, although in Worcester County occasional notices of meetings and celebrations appear until 1819.[2] The fact that no attention is paid them by the Republican press would indicate that they were wholly innocuous.

A great change came over New England politics after the war. The bitterness which characterized the last two decades died out. When President Monroe visited New England in 1817 it was recorded by the *Boston Patriot* (July 9) that he seemed to have wholly allayed the storms of party. "People now meet in the same room who would before scarcely pass in the same street. . . . It is found that citizens in opposite parties are not so unworthy reciprocal respect as before they were thought to be, and that each have qualifications which entitle them to the esteem of the other."

But the change has an even greater significance. The spirit of the Washington Benevolent Society is not that of nineteenth century Americanism. Its railing at the admission of Western states, its blind devotion to foreign commerce, were as absurdly out of place in American politics as its badges, chaplets, and other mummery. With the war came a national spirit, pride in the achievements of American arms, and confidence in the future of American institutions. Perhaps there is no better summary of the changes in progress than one which appeared while the war was still in progress, and which is presented as what "a true disciple of Washington" would have said to those who wished to honor his memory. "Our people had been intoxicated by trade. Englishmen, English books, English fashions, English games, and English vices were changing the character of our people; the war aroused us from lethargy." The nation was breaking asunder "those chains which in the form of manufactured goods were binding us to our oppressors." "A new, great permanent interest is arising in our country, in the per-

[1] *Boston Patriot*, August 5, 1815.

[2] *Massachusetts Spy*, May 20, 1818; March 31, November 4, December 29, 1819. There is in the Massachusetts Historical Society a manuscript copy of the constitution of the Washington Benevolent Society for the County of Worcester, adopted in a meeting of delegates from the societies of Barre and Petersham, Winchendon, Athol, Templeton, Royalston and Westminster and Princeton, held at Templeton, March 5, 1813.

sons of our raisers of wool, cotton, hemp, etc. and of our capitalists who are calling into activity all the arts and powers which genius has contrived for diminishing labor." Foreign commerce intoxicated, "our own great internal trade will not intoxicate; it will be natural, it will become habitual, and once fostered it will never decay. Our own lands, mines, forests, lakes, and rivers are now, instead of foreign countries, to be explored; all the profits will be our own; we shall have no risks or perils to insure against. . . . This is so plain, so just, so reasonable, and so American, that we need no gaudy parades, painted banners, white roses, sounding music, or theatrical machinery to fix it in the minds of our children." [1]

Remarks were made during the meeting by Messrs. WENDELL, NORCROSS, and SANBORN.

[1] *Boston Patriot*, May 11, 1814. "Sallust."

ANNUAL MEETING, APRIL, 1916.

THE Annual Meeting was held on Thursday, the 13th instant, at three o'clock, P. M. The PRESIDENT and both Vice-Presidents being absent, the Society was called to order by the Recording Secretary, and Mr. ARTHUR LORD was chosen President *pro tempore*.

The record of the last meeting was read and approved; and the Librarian read the list of donors to the Library during the past month.

The Cabinet-Keeper reported gifts as follows:

Portrait of Mrs. William Minns, of Boston, by Ethan Allen Greenwood; a portrait of Miss Jane Clark, daughter of Jonathan Clark, who married John Lewis, attributed to Hogarth, London, 1739, and which was brought to Groton, Mass., by her son Jonathan Clark Lewis; a portrait said to be of Foucquet; a painting, "The Vidette," by Grolleron, and an engraving of Foucquet, by Nanteuil, 1661, from Miss Susan Minns; photograph of a portrait of James Lloyd, from Henry Cabot Lodge; photograph of Prof. George Martin Lane, about 1858, from Charles C. Smith; photograph of the capitol, Atlanta, Georgia, a lithograph of Libby Prison, 1863, seven wooden medallions of the Centennial Exposition, Philadelphia, 1876, six of the Chicago Exposition, 1893, the Liberty Bell Medal, and a Russian ½ kopeck, from Grenville H. Norcross; fifteen engravings of American generals and views, from Edwin H. Brigham; an English poster of the present war, from Henry H. Edes; a medallion of Washington Irving, by the St. Nicholas Society, New York, 1907, from Charles P. Greenough; Bowdoin College Phi Beta Kappa medals of Dr. David Humphreys Storer (class of 1822), from Miss A. M. Storer; medal of the Fusileer Veteran Association, from Capt. E. S. Anderson; the bronze Harvard-Pasteur medal, from Baron Pierre de Coubertin, of Paris, France; and a photograph of a portrait of James Lloyd, owned by Mr. William A. Jeffries, of Boston, and sixty-seven medals, store-cards, and badges, by purchase.

The Corresponding Secretary reported the receipt of a letter from Charles Edwards Park accepting his election as a Resident Member of the Society. He also reported the receipt of a letter from the New Jersey Historical Society inviting the Society to send a delegate to the 250th anniversary of the founding of Newark on May 1. It was voted that the selection of a delegate be left with the President *pro tempore.*

The Editor said:

A year ago I announced an important gift from Mr. WILLIAM V. KELLEN, of photographs of some six thousand documents in the State Archives bearing dates in the seventeenth century, and commented upon its great utility in supplementing original papers in the collections of the Society. I now record a like accession of photographic reproductions, being about a thousand pieces contained in the private collection of Mr. CHARLES P. GREENOUGH. The privilege, generously accorded, of using in this manner the Massachusetts material in his gatherings of a lifetime gives to the Society copies of many interesting historical documents and of much that is curious and personal in illustration of our annals. While the wish may be expressed that a part of the originals may eventually come into the safekeeping of a public institution in Massachusetts, these reproductions will at least preserve a record of them in a form serviceable to all interested.

The Editor also reported the following gifts:

From the Most Worshipful Grand Lodge of Ancient Free and Accepted Masons of the Commonwealth of Massachusetts, through Mr. Melville M. Johnson, Grand Master, the Journal of Samuel Grant, merchant in Boston, from November 25, 1728, to December 31, 1737, containing 637 pages; and the Journal of a shipping and merchandise firm in Boston, as yet unidentified, running from May 2, 1763, to July 11, 1766, 440 pages. Unfortunately the first thirteen pages and some at the back of the volume have been lost. Mr. Johnson writes in his letter of gift: "These books contain frequent reference to men who were Freemasons, but they have a much wider interest, and it has seemed to me that they would be of more value in your library than upon our files. We therefore take pleasure in presenting these books to the Massachusetts Historical Society."

Samuel Grant is said to have been born in 1704.[1] He is known to have had a store in Union Street as early as 1736, known as the "Crown and Cushion," and lived in the rear of the store. He died November 14, 1784. He subscribed £50 in 1748 to promote the linen manufacture,[2] and he was one of three to whom John Ellery (1712–1746), of Hartford, left £200, "to be disposed of in pious and charitable uses as they should think would most redound to the glory of God."[3] He married, January 1, 1729, Elizabeth Cookson,[4] probably daughter of John Cookson. Mr. Grant bought in 1739 a dwelling house on Union Street, corner of Scott's Court (Friend Street), and in 1744 received from John Cookson a "wooden tenement" adjoining his property. His daughter, Elizabeth, married John Simpkins, August 30, 1764. A son Moses is frequently mentioned in the town records.

Mr. Johnson has also permitted the Society to retain a copy of a manuscript record of twenty-five pages of the first Provincial Lodge of Free-Masons in America, established at Boston, July 30, A. M. 5733 [1733]. This interesting record, in the writing of Francis Beteilhe, the secretary of the Lodge, contains the application for and the establishment of the Lodge, its by-laws, its members, votes, etc., to 1736. It was bound with Franklin's issue of *The Constitutions of the Free-Masons*, 1734, one of the rarest of his imprints. When this volume was sold in the Brinley library, in 1880, the manuscript was erroneously believed to be that of Franklin.

From Mr. Edward Gray, of Milton, letters and log-books of a voyage from Boston to Canton, China (1843), Hong Kong to Manila and return to Macao (1843), and from Canton to New York (1844), kept by Horace C. Story (1823–1847), a son of Franklin H. Story, and nephew of Justice Joseph Story.

From the Dedham Historical Society, a manuscript copy (on paper with water mark "1815") of the constitution of the Washington Benevolent Society for the county of Worcester, Mass., society formed in 1813.[5]

[1] The *Boston Rec. Com.*, XXIV. 39, mentions the birth of a Samuel, son of Joseph and Mary Grant, October 13, 1705.

[2] *N. E. Hist. Gen. Reg.*, XVI. 91; XLIV. 324.

[3] *Ib.*, XLIII. 314.

[4] *Boston Rec. Com.*, XXVIII. 149.

[5] See p. 285 *n.*, *supra*.

From H. de F. Lockwood, of Boston, a number of papers of the Low family, of Wells, York County, Maine, comprising deeds, commissions and notes.

From Grace Williamson Edes (Mrs. Henry H. Edes), British letters patent issued in 1874 to Alexander Melville Clark, of London, covering improvements in automatic chemical telegraphs; together with a transfer, dated 1875, of all his rights by Clark to William Edward Sawyer of Washington, D. C. The great seal is perfect, being enclosed in a tin box, and the papers in the usual shagreen box. A similar document is framed and hung in the Patent Room, Boston Public Library.

From Francis J. Garrison, a letter from a professional slave-catcher of Carlisle, Pa., as follows:

CARLISLE, [PA.,] March 25th, 1856.

FRIEND SEED, — Dear Sir. I Received your Dispatch you want to know if it will Pay. i say yes it will Pay $40.00 any how and probly more Mr Fieny wants them caught Bad.

he Lives in Clear Spring M. D. they lost them in Harrisburg. they say that the intention of the Blacks ware to go to Philadelphia. i cannot give you an acarate Discription of em i have not got the Bill yet But will send it asson as i get it. there are three men one Slave woman and one free woman in the Party and 2 children the [one] at the Breast and the other older. the one man has on a Brawn Coat and Black hat hair long curled under the 2 children Light Molotta if you find them Just Spot them and let me know and i will Fetch the master on with me we can make a good thing of it

You will get more Particluars when i get them Yours truly

JOSEPH STUART.

Thomas Russell Sullivan, of Boston, was elected a Resident Member of the Society; and George Macaulay Trevelyan, of England, a Corresponding Member.

The chairman announced the death of James Burrill Angell, a Corresponding Member.

The Society then proceeded with the business of the Annual Meeting. The Recording Secretary read the following report, prepared by the senior Member-at-Large of the Council, Mr. CHARLES P. GREENOUGH, who was absent.

Report of the Council.

The meeting commemorative of our late President, Charles Francis Adams, was held by the Society in the First Church in Boston, on the afternoon of November 17. The memorial address was made by Hon. Henry Cabot Lodge, the invocation by Rev. George Angier Gordon, and the benediction by Rev. Charles Edwards Park. The church was filled in every part, and the occasion was marked by great dignity, simplicity and impressiveness.

The Society also lost by death its second Vice-President, Hon. John D. Long.

The Society closes another year — its one hundred and twenty-fifth — in full confidence of maintaining its position as a depository of historical records and of continuing its publications of material in a manner most useful to the historian. Its collections have increased by gift and by purchase. Additions have been made to its files of Massachusetts newspapers of the colonial period, and the acquisition of an almost complete file of the Portsmouth (N. H.) *Oracle*, 1793–1901, gives it a good political record of a sister New England State for that period. By confining its attention to early Massachusetts newspapers it competes less with libraries buying more generally in time and in space; and this concentration enables it to obtain what would otherwise be scattered in a number of institutions. In its peculiar field of collecting — manuscripts — the Society has gained by gifts. The notable Lopez-Ayrault-Champlin collection, presented by a corresponding member, Hon. George Peabody Wetmore; the papers of Charles Deane, given by his children, and the photostatic reproductions of the early documents and letters in the State Archives, presented by Mr. Kellen, may be named. The total comprises thousands of pieces of historical interest, increasing the value of the material already in the Society by much more than mere numbers indicate. During the coming year it is expected that a list of the larger collections will be prepared, not by individual pieces but as collections, to serve as a general guide to what is in our possession. It is safe to say that nowhere in New England does there exist so large and so rich an aggregation of colonial papers

of a historical character, not even in the combined archives of the New England States.

The Society has issued during the year a volume of *Proceedings* (XLVIII in the series) and the second volume of the *Commerce of Rhode Island*, 1775–1800. This latter volume, closing the Seventh Series (vol. LXX), was printed through the generosity of Senator Wetmore. It did not contain the customary index of the ten volumes in the Seventh Series, as the reason for such an index passed with the elaborate indexing of individual volumes, but little related to one another in contents. In the coming year it is planned to issue a volume of *Proceedings*, and one of *Collections*, being the "Adams-Warren letters," a correspondence between John Adams and James Warren during the War for Independence. The late Mr. Frederick L. Gay had arranged to share the expense of a volume on Captain William Phips's search for treasure in the Bahamas, the material for which would come from his rich collection of transcripts from British sources. This arrangement will be carried into effect, Mrs. Gay having generously expressed such a wish.

Mention should be made of the *Autobiography* of Charles Francis Adams, prepared in the latter years of his life to serve as the material for a memoir, and left to the Society with full powers of publication. The character of the work demanded something more than a publication in the *Collections* of the Society, and it has appeared through the publishing house of Houghton Mifflin Company, but in a form which enables it to be placed with the issues of the Society. The volume also included Mr. Lodge's memorial address.

The photostat has been in constant use during the year and is justifying the expense involved. The number of prints taken in the twelve months was 20,000, and had a wide distribution. The reproduction of the *Boston News-Letter* has now been carried to the end of 1714, giving ten years of the first newspaper to be regularly issued in an English colony in North America. The 436 numbers reproduced include every known issue of the journal and sets have been placed in subscribing institutions. This rich material is made available for the first time to Massachusetts as well as Wisconsin and Washington (D. C). It is the intention to continue the reproduction in the coming year so as to carry it to the end of 1726.

The Society has also reproduced its unique file of the *Georgia Gazette*, from No. 1, April 7, 1763, to No. 346, May 23, 1773, upwards of 1450 pages. The two series of newspapers reproduced comprise a total of 782 issues, an achievement in itself worthy of notice. For the first time so long a series of colonial newspapers has been reproduced by any process, the most extensive undertakings of the past being four years of the American *Weekly Mercury* (Philadelphia, 1719–1723) and the Newport *Mercury*, begun by the John Carter Brown Library. What this Society has already accomplished in this direction thus gives it a position in the very front.

The Society has gained by the instrument in photostats of broadsides, manuscripts and newspapers needed to complete its collections, and arrangements for exchanging material are being extended wherever an opportunity is offered. From the New York Historical Society were obtained prints of all the Massachusetts broadsides in its collections, and from Mr. Wendell prints of an important collection of Wendell-Quincy letters temporarily in his custody. The records of the Lincolnshire Company (in what is now Maine), 1720–1785, have also been secured in this form, as well as some thousand individual pieces from various sources. Missing pages and even an entire number of a serial publication have been reproduced to complete imperfect volumes or series. The difficulty lies more in meeting the demands made upon the instrument and its operator than in discovering objects worthy of the attention of the Society.

For the advantage is not confined to the Society. The notable achievement of Dr. Charles L. Nichols, of Worcester, in assembling negatives of sixty-five almanacs printed in Massachusetts before 1700, enabled him to offer sets in photostatic form to libraries. The printing was done in this Society, and with creditable results. The success of this undertaking opens a field for like series of related issues of the colonial press, great rarities, often existing in a single known copy. Much has also been done on orders from other parts of the country, even from California, for the reproduction of books, essays, prints, maps, manuscript and broadsides needed by scholars, collectors and investigators. This service is of the best, for it removes the risk of total loss should accident befall a unique original, and it enables any individual or institution to obtain the second best

form of the subject — a photographic reproduction, at a low cost.

The war has made itself felt in this field of the Society's activities, for the situation in the chemical industry has compelled a resort to substitutes of less efficiency and greatly increased cost. These difficulties are being met so far as is possible with the expert operation of the machine, but it is at an increased expense in money and in waste of material. The Society has received from the manufacturers every facility for solving the problems thus entailed, and hope is expressed of an end to them in the current year.

In the matter of collecting, the Society maintains its recognized policy. Receptive to what comes to it by gift, it seeks to complete its holdings by purchase, but without coming into competition with other institutions or catering to inflated values prevalent in the book markets. It has no jealousy of the growth of other libraries and collections, for the time is past when such a feeling can be justified. The liberal management of the present day places at its call the best that can be found in public and private possession, and this mutual aid and good understanding bear fruit to all concerned. The Society seeks to make what it has of service to the public, and no material is sealed except when deposited for safe-keeping and the owners insist upon such a restriction. Its photostat serves the public before meeting its own demands and the quality of service is gained at its own expense. In this consists the Society's tribute to scholarship and investigation, which it can well afford to pay. It is gathering a library of historical publications, limited in scope but supplemented by its manuscript wealth. The reference library has been materially strengthened.

The want of space is a problem of increasing moment and can only be solved in a satisfactory manner by the construction of stacks on the unoccupied lot owned by the Society. There are no spaces available for new shelving, such necessities as map and print cases can find no location, and the walls offer little for paintings. The weight upon the upper story cannot be increased with safety to the building, and the cellar space is fully utilized. There is no room for receiving and assorting material, and the catalogue case is as full as its antique and awkward shape and location permit. The want of a reading and consulting room,

properly furnished and lighted, is also to be noted as among the desirables. There is not a reader's table in the whole building, and there is no room in which a student may be placed where he will be assured from noise and interruption. It is a curious situation, in which the Society serves the outsider better than it does its members. The inquirer who is not a member has every facility for seeing what he wants and of using the various collections freely. There is little to tempt members to frequent the rooms and indulge their taste in reading or study. A quasi-public institution, its public functions and services are greater than those of a private nature.

The Society is not in a position to beg, but it is always so placed that it can use larger funds than are now available. The gaps in its collections, the large quantity of unbound material, printed and manuscript, the reproduction of rarities when an unusual opportunity occurs, the sharing of its advantages with other institutions, its coins and pictures, and its publications — all make demands upon the income of the Society, and almost any one item named will give a field for useful expenditure beyond the sum now assigned to it. Then there is the future question of enlarging the building by an already much needed book stack and portrait gallery. At some time in the near future the larger wants will be met, and present aid, however moderate, will help to meet the situation. To the liberality of members and to a wise management of the funds in the past the Society owes its present strong position. No reason exists for not expecting a like generosity and good management in the future, and upon a still larger scale.

Report of the Treasurer.

In presenting his annual report on the finances of the Society Mr. Lord said:

I desire to make a brief statement of the financial condition of the Society, supplementing what is set forth in detail in the Treasurer's report submitted in print to-day.

The property of the Society other than its Books and Collections may be divided conveniently as follows:

1. The Land and Buildings, which stand on the books at $97,990.32 and are valued by the City Assessors at $196,000.

2. The Investments of the Society are carried on the books, as appears in the Investment Account, Exhibit I of the Treasurer's Report, at $482,326.39. Of this sum the two centenary funds amount to $69,320.18, of which amount $63,800.98 is the principal of the Sibley Centenary Fund and $5,519.20 the Anonymous Fund. Under the terms of the bequests the income of these funds must be added to the principal until the expiration of one hundred years from their receipt, or, in the case of the Sibley Centenary Fund, the year 2002, and in the case of the Anonymous Fund, the year 1991.

The gross income of the Society from all sources the past year was $32,040.93, of which $24,774.35 was the income of the invested funds. From this gross income must be deducted the income of the two centenary funds, which under the terms of the gifts are to be added annually to the principal, amounting to $3,300.96, and leaving a balance of income available for all purposes of $28,739.97.

The expenditures were $27,344.89, leaving a balance of income over expenditures for the year of $1,395.08. The Society has received no money gift or bequest during the past year.

The expenses of operating the photostat during the year were $3,326, and the sale of copies of manuscripts and newspapers was $2,871 — an apparent deficit of $455. The Society has, however, gained largely in prints for its own collections, to the number of some thousands.

REPORT.

IN compliance with the requirements of the By-Laws, Chapter VII., Article 2, the Treasurer respectfully submits his Annual Report, made up to March 31, 1916.

The special funds now held by the Treasurer are thirty in number. A list of these funds, with the income and expenditure of each fund the past year, appears in Exhibit V in this report. An account of twenty-nine of these funds, giving a brief history of each fund, will be found in the Treasurer's Report for the year ending March 31, 1910 (*Proceedings*, XLIII. 529); the thirtieth is described in the Treasurer's Report for the year ending March 31, 1911 (*Proceedings*, XLIV. 568). The securities held by the Treasurer as investments on account of the above-mentioned funds are as follows:

INVESTMENTS.

Schedule of Bonds.

Chicago & West Michigan R. R. Co.	5%	1921		$14,000.00
Chicago & North Michigan R. R. Co.	5%	1931		1,000.00
Rio Grande Western R. R. Co.	4%	1939		5,000.00
Cincinnati, Dayton & Ironton R. R.	5%	1941		5,000.00
Atchison, Topeka & Santa Fé R. R.	4%	1995		14,500.00
Atchison, Topeka & Santa Fé R. R.	4%	1995	"adjustment"	9,000.00
Chicago Jct. & Union Stock Yards	5%	1940		10,000.00
Oregon Short Line R. R. Co.	5%	1946		10,000.00
Oregon Short Line R. R. Co.	4%	1929		10,000.00
Boston & Maine R. R. Co.	4½%	1944		6,000.00
American Tel. & Tel. Co.	4%	1929		10,000.00
Northern Pacific & Gt. Northern R. R.	4%	1921	"joint"	50,000.00
Long Island R. R. Co.	4%	1949		6,000.00
New York Central & Hudson River R. R.	4%	1934		15,000.00
Bangor & Aroostook R. R. Co.	4%	1951		10,000.00
Detroit, Grand Rapids & Western R. R.	4%	1946		2,000.00
Fitchburg R. R. Co.	4%	1927		9,000.00
Kansas City, Clinton & Springfield R. R.	5%	1925		3,000.00
Lowell, Lawrence & Haverhill St. R. R.	5%	1923		2,000.00
Washington Water Power Co.	5%	1939		10,000.00
United Electric Securities	5%			25,000.00
Blackstone Valley Gas & Elec. Co.	5%	1939		10,000.00
Western Tel. & Tel. Co.	5%	1932		5,000.00
Seattle Electric Co.	5%	1929		5,000.00
Detroit Edison Co.	5%	1933		5,000.00
U. S. Steel Corporation	5%	1963		5,000.00
Boston Elevated Railway	5%	1942		8,000.00
New England Tel. & Tel. Co.	5%	1932		10,000.00
Connecticut Power Co.	5%	1963		10,000.00
Boston & Albany R. R.	5%	1938		10,000.00
Cleveland Short Line R. R.	4½%	1961		10,000.00
Arlington Gas Light Co.	5%	1927		10,000.00
United Elec. Lt. & Power Co.	4½%	1929		10,000.00
Wilmington City Electric Co.	5%	1951		5,000.00
City of New York	6%	1916–17		5,000.00
City of Cleveland	5%	1917		8,000.00
Old Colony Gas Co.	5%	1931		5,000.00
Dedham Water Co.	5%	1935		5,000.00
United Zinc & Chemical Co. (with 60 shares pfd., and 60 common)	5%	1928		30,000.00
			Par value	$382,500.00

SCHEDULE OF STOCKS.

50	Merchants National Bank, Boston	$5,000.00
50	National Union Bank, Boston	5,000.00
50	Second National Bank, Boston	5,000.00
50	National Shawmut Bank, Boston	5,000.00
35	Boston & Albany R. R. Co.	3,500.00
25	Old Colony R. R. Co.	2,500.00
25	Fitchburg R. R. Co. Pfd.	2,500.00
150	Chicago Jct. Rys. & Union Stock Yards Co. Pfd.	15,000.00
75	American Smelting & Refining Co. Pfd.	7,500.00
158	Atchison, Topeka & Santa Fé R. R. Co. Pfd.	15,800.00
302	Kansas City Stock Yards Co. Pfd.	30,200.00
10	Cincinnati Gas & Electric Co.	1,000.00
6	Boston Real Estate Trust	6,000.00
5	State Street Exchange	500.00
120	Pacific Mills.	12,000.00
52	Puget Sound Traction Light and Power Co. Pfd.	5,200.00
5	" " " " " " Common	500.00
50	American Telephone & Telegraph Co.	5,000.00
1218	Shares . . . Par value	$127,200.00

SCHEDULE OF SAVINGS BANK BOOKS.

M. A. Parker Fund	$1,214.73
Brattle St. Church Model Fund	211.35
	$1,426.08

RECAPITULATION.

Bonds, par value	$382,500.00
Stocks, par value	127,200.00
Savings Bank Books	1,426.08
	$511,126.08

Represented by Balance, Investment account $482,326.39

The balance sheet follows and shows the present condition of the several accounts:

BALANCE SHEET, March 31, 1916.

Investment Account, Exhibit I	$482,326.39	Funds, Exhibit III	$443,190.83
Cash on hand, Exhibit II	9,688.25	Accumulated Income of Funds, Exhibit IV	48,823.81
	$492,014.64		$492,014.64

EXHIBIT I.

INVESTMENT ACCOUNT.

Balance April 1, 1915		$480,817.22
Bought during year:		
$10,000 Chicago Jct. & Union Stock Yards, 5%, 1940	$9,919.44	
5,000 Dedham Water Co., 1st Mortgage, 5% 1935	5,050.00	
50 Shares American Tel. & Tel. Co.	6,400.00	
Accrued Interest M. A. Parker Savings Bank Book	47.14	
" " Brattle St. Church Model Bank Book	8.20	
Total Additions, Exhibit II		21,424.78
		$502,242.00
Securities matured, etc.:		
$13,000 Chicago Jct. & Union Stock Yards	$13,051.61	
6,000 West End Street Railway Co.	6,000.00	
Liquidation State National Bank	145.00	
" National Bank of Commerce	719.00	
Total Deduction, Exhibit II		19,915.61
Balance, March 31, 1916		$482,326.39

EXHIBIT II.

CASH ACCOUNT.

Balance on hand, April 1, 1915			$6,501.38
Receipts during year to March 31, 1916:			
Sales by Library:			
Publications	$848.35		
Photostat	2,871.42		
Duplicates	3,253.64		
Bindery	69.25		
Royalties, Little, Brown & Co.	9.88	$7,052.54	
Rebates		.60	
Credited to General Fund Income		7,053.14	
Interest on Bank Balances	213.44		
" on Savings Bank Books	55.34		
Income from Investments	24,719.01		
Total		24,987.79	
Total credited to Income of Funds, Exhibit V.			32,040.93
Securities matured, etc.			19,915.61
			$58,457.92
Charges during year to March 31, 1916:			
Investment Account, Securities bought		$21,369.44	
Savings Bank Interest		55.34	
Total additions, Exhibit I		$21,424.78	
Income Account:			
Bindery, Wages	$1,143.02		
Supplies	272.35	$1,415.37	
Binding, outside		178.70	
Books, Pamphlets, Newspapers, and Mss.		2,306.34	
Building:			
Cleaning	$324.60		
Engineer	1,046.54		
Fuel	525.00		
Furniture	146.15		
Insurance	1,050.00		
Light	251.61		
Repairs	966.02		
Telephone	106.53	4,416.45	
Photostat[1]		3,326.33	
Portraits and Medals		265.02	
Postage		144.04	
Carry forward		$12,052.25	$21,424.78 $58.457,92

[1] For receipts, see above.

CASH ACCOUNT — *Continued.*

Brought forward		$12,052.25 $21,424.78	$58,457.92
Printing:			
Proceedings, vol. 48	$1,530.31		
" " 49	470.17		
Illustrations and Reprints	582.50		
Collections:			
Rhode Island Commerce	147.71		
Sibley's Harv. Grad. IV	187.00		
Phips Volume	2.29	2,919.98	
Miscellaneous		231.25	
Salaries:			
Librarian's Assistants	$4,537.00		
Editor and Assistant	6,080.00	10,617.00	
Stationery		90.10	
Treasurer's office:			
Bond	$25.00		
Bookkeeper	600.00		
Safety Vault	50.00		
Certified Public Accountant	25.00	700.00	
Miscellaneous,			
Insurance, Employers Liability	$60.40		
American Bibliography	100.00		
Memorial Meeting	109.17		
Other Expenses	464.74	734.31	
Charged Income of Funds, Exhibit V		27,344.89	
Total Payments			48,769.67
Balance on hand, March 31, 1916			$9,688.25

EXHIBIT III.

INCREASE OF FUNDS IN YEAR 1915-1916.

Amount of Funds, April 1, 1915		$439,889.87
Added during year:		
Additions to Centenary Funds:		
Anonymous Fund	$262.82	
J. L. Sibley Fund	3,038.14	3,300.96
Total of Funds, March 31, 1916		$443,190.83

EXHIBIT IV.

ACCUMULATED INCOME OF FUNDS.

Balance Accumulated Income, April 1, 1915	$47,428.73
Income during year, Exhibit II	32,040.93
	$79,469.66
Expenditures, Exhibit II	27,344.89
	$52,124.77
Less additions to Centenary Funds	3,300.96
Balance, March 31, 1916	$48,823.81

EXHIBIT V.

INCOME AND EXPENDITURES OF FUNDS FOR THE YEAR ENDING MARCH 31, 1916.

	Balance Mar.31,'15	Income	Expenditures	Balance Mar.31,'16	Principal of Funds
Amory	$1,914.90	$174.10	$145.00	$1,944.00	$3,000.00
Appleton	6,423.71	708.21	1,080.00	6,051.92	12,203.00
Bigelow	591.81	116.07	121.25	586.63	2,000.00
Billings	3,127.92	580.35	558.77	3,149.50	10,000.00
Brattle St.	103.15	8.20		111.35	100.00
Chamberlain	91.19	70.49	76.70	84.98	1,232.33
Dowse	4.70	580.35	585.00	.05	10,000.00
Ellis	64.12	1,837.73	1,870.05	31.80	31,666.66
Frothingham	2,707.87	174.10	175.00	2,706.97	3,000.00
General	13.65	10,228.63	8,609.95	1,632.33	54,719.38
Hunnewell	1,377.47	290.17		1,667.64	5,000.00
Lawrence	102.44	174.10		276.54	3,000.00
Lowell	397.54	174.10	175.00	396.64	3,000.00
Mass. Hist. Trust	6,243.55	580.35	411.17	6,412.73	10,000.00
Parker	21.69	47.14	45.85	22.98	1,000.00
Peabody	2,266.25	1,283.92	1,530.31	2,019.86	22,123.00
Salisbury	205.32	290.17	281.50	213.99	5,000.00
Savage	743.36	348.18	317.54	774.00	6,000.00
C. A. L. Sibley	36.25	1,306.32	1,174.53	168.04	22,509.48
J. L. Sibley	5,659.87	7,025.80	8,240.27	4,445.40	121,077.00
Slafter	164.62	58.03	57.33	165.32	1,000.00
Waterston No. 1	1,515.00	290.17	158.77	1,646.40	5,000.00
Waterston No. 2	3,977.43	580.35	470.17	4,087.61	10,000.00
Waterston No. 3	3,201.46	580.35		3,781.81	10,000.00
Waterston Library		224.88	194.71	30.17	3,875.14
R. C. Winthrop	4,844.93	580.35	613.32	4,811.96	10,000.00
T. L. Winthrop	316.46	137 19	80.00	373.65	2,364.66
Wm. Winthrop	1,312.07	290.17	372.70	1,229.54	5,000.00
Balance, Mar. 31, 1915	$47,428.73				
General Income		$28,739.97			
" Expenditures			$27,344.89		
" Balance				$48,823.81	
Sibley Centenary		3,038.14			63,800.98
Anonymous Centenary		262.82			5,519.20
Total Income, 1916		$32,040.93			
Total Funds, March 31, 1916					$443,190.83

The income for the year derived from the investments and credited to the several funds in proportion to the amount in which they stand on the Treasurer's books was nearly six per cent on the funds.

The real estate, which is entirely unencumbered, stands on the books at $97,990.32, and in former reports has been carried at this sum and balanced by the items.

Building Fund	$72,990.32
Ellis House	25,000.00

These items will not be carried hereafter in the annual Balance Sheet as the funds are not invested in securities but have been expended in the erection of the Society's building. The aggregate amount of the permanent funds including unexpended balances represented by securities at par and deposits is $511,126.08, as per schedules of investments given above.

ARTHUR LORD,
Treasurer.

BOSTON, April 1, 1916.

REPORT OF THE AUDITING COMMITTEE.

The undersigned, a Committee appointed to examine the accounts of the Treasurer of the Massachusetts Historical Society as made up to April 1, 1916, have attended to that duty, and report that they find that the securities held by the Treasurer for the several funds correspond with the statement in his Annual Report.

They have engaged the services of Mr. Gideon M. Mansfield, a Certified Public Accountant, who reports to them that he finds the accounts correctly kept and properly vouched, that the balance of cash on hand is satisfactorily accounted for, and that the trial balance is accurately taken from the ledger.

HAROLD MURDOCK,
HENRY H. EDES,
Committee.

BOSTON, April 5, 1916.

Report of the Librarian.

The Librarian reports that during the last two years there have been added to the Library:

	1915	1916
Books	1,502	910
Pamphlets	1,056	1,436
Manuscripts, bound	43	84
Broadsides	178	54
Maps	35	10
Total	2,814	2,494

In the collection of Manuscripts there are now 1,486 volumes.

In the Rebellion Collection there are now 3,545 volumes, 6,623 pamphlets, 510 broadsides, and 111 maps.

The Library is estimated to contain 58,586 volumes, 119,441 pamphlets, and 5440 broadsides.

Samuel A. Green,
Librarian.

Report of the Cabinet-Keeper.

The additions to the Cabinet of the Society have been reported each month at the meetings and are set forth in detail in the *Proceedings*. It seems unnecessary to repeat them here.

The Curator of coins and medals, Dr. Storer, has been active in increasing the collction in his charge, and has added during the past year 142 pieces, of which 112 pertain to Massachusetts.

The collection now numbers in all 11,018 pieces, 1,311 being Massachusetts specimens. This is the largest Massachusetts collection known.

Grenville H. Norcross,
Cabinet-Keeper.

April 13, 1916.

Report of the Committee on the Library and Cabinet.

We were met at the Historical Rooms by the Cabinet-Keeper, the Curator of Coins, and the Assistant Librarian, who extended to us every opportunity to examine the building and its contents.

The Cabinet collections, which are well cared for and well catalogued, are crowded into so small a room that it is not possible to see and appreciate how many valuable and unique articles are in the possession of the Society. When the opportunity arises, they should be transferred into a large room where they can be shown to advantage. The present impression to the visitor is one of great confusion.

The collection of coins and medals, originally belonging to the Society, with the Appleton and Adams gifts, is one of the most important in the country, and is being strengthened by accessions from time to time. As regards Massachusetts, it is particularly valuable. From every point of view, this collection cannot under existing conditions be properly cared for. The articles are kept in a room with old-fashioned wooden cases wholly unsuited to proper arrangement or safety. There are no labels which will permit them to be exhibited and no proper catalogue to aid the visitor in obtaining the most superficial knowledge of the extent of the collection, though proper listing is now being done under the best auspices. Metal cases of the most approved models, for exhibition purposes and for safety against fire, should be purchased; but before doing so a careful study should be made of what has been done in other institutions such as the American Numismatic Society in New York, the State Library of Connecticut and the Essex Institute at Salem.

The present catalogue cases came from the old building. They were built from a design, peculiar to this Society, for a special size of card, which is too small to contain an adequate record of a book title or a fair calendar of a manuscript. New standard cases should be purchased at once, future entries should be made upon proper sized cards, and the old catalogue cards should be made to conform gradually with the new cases. One great advantage will result, that the printed cards issued by the Library of Congress can be purchased at small cost for such books as are found in our collections. The wooden bookcases and furniture near the catalogue case are a menace on account of fire. The initial expense of this change will be small and means lasting economy and gain in service.

For more than a century the Society accumulated books, pamphlets, manuscripts and newspapers, but did little toward

putting them into permanent form. Perhaps this is as well, for in those days the methods were bad. Books and pamphlets were ruthlessly trimmed, large numbers of pamphlets were made into volumes, irrespective of size or contents, and the leather used on books and manuscripts has proved of no permanent value. For five years the Society has had its own bindery wherein modern methods, adopted both here and abroad, have been applied in dealing with books, pamphlets, manuscripts and newspapers. The following valuable collections have been placed in perfect condition: French, 28 vols.; Lee-Cabot, 23 vols.; Wetmore, 21 vols.; Robbins-Coffin, 12 vols.; Amory-Sullivan, 10 vols.; Dwight Foster, 8 vols.; and twenty-six volumes of minor collections — in all 128 volumes, containing thousands of manuscripts. In addition 52 rare manuscripts have been separately bound and a number provided with solander cases. Among the earlier newspapers, the *Boston News-Letter* (1704–1748) has been bound in fifteen volumes; the *New England Weekly Journal* (1727–1741), in five, and the *Georgia Gazette* (1763–1770), in eight. It is only when thus bound, arranged and placed on shelves that a proper catalogue can be made. Buckram has been generally adopted, but leather has been used for the more valuable documents, though the present price of fine leather necessarily restricts its use. The bindery is now able to do on a small scale all that is necessary in the art of binding. An expenditure of six hundred dollars should be made for machines and tools to develop this work.

The basement has a room now filled with publications issued by the United States and the different States, which have no historical value, are never used and are so shelved that they could not be easily found even if required. Once a depository of United States documents, the Society long since abandoned the privilege. This well-nigh useless mass of material should be disposed of by sale or exchange, as whatever is of value has been placed on shelves. In other parts of the building books of no value should be also sold or exchanged. By doing this the congested condition would be relieved and the danger from fire in the basement would be greatly reduced.

The Society possesses the largest collections of Massachusetts colonial newspapers on file in any one place, and has received in the past many valuable volumes of early newspapers

printed in other States. During the past year it was suggested to some other institutions that a movement be begun to consolidate, with our collections, the many scattered numbers of these Massachusetts newspapers, so that our Society should be the custodian of the most perfect files obtainable. Our Society offered to give a full reproduction by photostat to any library willing to do this, and to abandon entirely by exchange or gift its broken files of "foreign" newspapers. The proposition was met by objections, such as the confusion arising from changing a "known location" of a given volume, and the strong feeling that each library should retain the originals. These objections do not appear sound. The advantage to be gained by a redistribution of such material is unquestioned, and must appeal in time to those interested in specialized collections. The only question is how the exchange can be made with justice to all concerned.

In view of the many valuable collections belonging to or deposited with the Society, there can be no doubt that the entire building should be made fireproof. This would mean the rebuilding of the interior, which, owing to expense, does not seem possible at present. As soon as a proper fireproof stack for books, pamphlets, etc., can be built upon our vacant lot, the congestion of the present building would be relieved, the opportunities for exhibiting our priceless pictures and historical collections would be increased and the danger from fire lessened. The work of fireproofing is being gradually done satisfactorily.

WILLIAM C. ENDICOTT,
LINCOLN W. KINNICUTT,
HENRY G. PEARSON.

Mr. WINTHROP, for the Committee to nominate officers for the ensuing year, made a report, upon which a ballot was taken. The officers are as follows:

President.

HENRY CABOT LODGE.

Vice-Presidents.

JAMES FORD RHODES.
WINSLOW WARREN.

Recording Secretary.

EDWARD STANWOOD.

Corresponding Secretary.

WILLIAM ROSCOE THAYER.

Treasurer.

ARTHUR LORD.

Librarian.

SAMUEL ABBOTT GREEN.

Cabinet-Keeper.

GRENVILLE HOWLAND NORCROSS.

Editor.

WORTHINGTON CHAUNCEY FORD.

Members at Large of the Council.

JOHN COLLINS WARREN.
CHARLES GRENFILL WASHBURN.
SAMUEL WALKER McCALL.
BARRETT WENDELL.
JOSEPH GRAFTON MINOT.

Mr. BIGELOW read the following paper on

THE OLD JURY.

[The following paper is concerned with the Old Jury only as a link in the chain of the history of evidence.]

WITH men of the Middle Age truth was unconfined. Just as the open objective world reached far "beyond the utmost purple rim" of sense and observation, so the occult, subjective world, unobservable to modern men, had unbounded extent, throughout and everywhere, as real as things within physical observation. Lines which we draw they indeed drew, but only as marking off one realm of reality from another. To most men of the Middle Age the methods and purposes of modern science would have been meaningless; they could not have lived our life any more than we could live theirs. The first Bacon was "unheard" in his day; no one understood him.

Nor is this to be set down altogether to the disadvantage of our ancestors. In the sphere of government, certainly not one of the least of things, Anglo-Saxon and Anglo-Norman were perhaps as successful as we moderns are. Guilt hardly dared to play with the old law; open guilt not backed by power could not delay the feet of justice, and secret guilt on trial felt and feared the Unseen. Face to face with the frowns and terrors of what was held for reality, the wrongdoer, who alone knew the truth, was likely to feel an added sense of guilt, and tremble and fail in the trial of endurance. Men of old knew their psychology — knew that psychology was a good detective. They knew that a man could not get rid of himself, and they undertook to forward the crisis.[1]

But the meaning of fact, together with the way of deciding it when in doubt, was peculiar to an age that did not understand methods of investigating truth. A bar lies there between all earlier times and the present, a bar which cannot be removed; but it explains much.

The Anglo-Norman jury was no exception; like the ordeal and the duel, this too was a mode of trial, not a proceeding in

[1] "It is the unknown that terrifies," says a writer in the *Manchester Guardian*. True, but guilt will give way to it more readily than integrity. That was the old theory. The social man is stronger than the anti-social man, or society could not exist.

which evidence in the modern sense played its part; so it was down to about the fifteenth century. Still trial by jury differed from other modes in that it was not a party test. The trial was by submission to the decision of (in theory) an impartial body, the common juries being sworn to speak the truth "according to their knowledge." But that should not be read as language of to-day or yesterday; the old jurors' "knowledge" was not the net result of open investigation in court, as in modern times, through the sifting of evidence offered there. This is true even of the grand assise (for trying the *right* of property in freehold lands), where the jury was sworn to speak the truth "precisely," without adding "of their own knowledge.[1]"

The old jury trial was not, in any case, "one-sided," as were the other modes of the time. That was gain; but the duty to speak the truth, whether of "knowledge" or "precisely," was both actual and potential gain of the highest — for that covers the whole field of evidence. Unfortunately the potential gain was not fulfilled; reform fell short in what is now regarded as of the essence of sound method,[2] and that too even in relation to impartiality.[3] Indeed, as we have already intimated, such

[1] The psychology is lame, but the meaning is clear. To deprive a man of his freehold was a serious thing, and was not to be done upon mere beliefs. Common juries might "think" so and so; the grand assise must be positive. Y. B. 30 and 31, Edw. I. 116; Y. B. 11 and 12, Edw. III. 338; Y. B. 12 and 13, Edw. III. 4; 12 Lib. Ass. 34, 12; 23 Lib. Ass. 11 — all cited by Thayer, *Evidence*, 100, 101, of witnesses, common juries and the grand assise. The accusing jury was sworn simply to "speak the truth." Assise of Clarendon, c. 1.

[2] This is true, though it is also true, as Thayer, *Evidence*, 500, says, that "all the rest," after the witnesses have testified to what they have seen and heard, the ordinary jurors "themselves were to furnish, such as general knowledge, hearsay, their own private knowledge, including hearsay and inferences from it, and the reasoning and conclusions involved in comparing and digesting all that they knew or had heard from others." But it must be remembered that there was no open, public examination and searching of testimony, except in special cases. Thayer, of course, does not mean to suggest that evidence in the modern sense was had in the courts; he has pointed out the contrary more than once. "When jury trial, or rather proof of jury, as it originally was," etc. *Evidence*, 502, *ib.*, 105. Maitland, *Pleas of Crown for Gloucester* (A. D. 1221), Introd. XL., XLI. See also Brunner, Schw. 36: "Anbetracht dessen kann die ältere Civil jury nicht als Urteil Jury, sondern nur als Beweisjury bezeichnet werden." But that was true, and true in the very face of suggestion and example pointing to modern ideas, deserves to be made clear.

[3] The result in the common jury cases was from the first mainly in the hands of one man; the sheriff *selected* the jury, the parties being present, if they chose, for the purpose of challenge. See Glanvill, Lib. 13, cc. 5, 12, 14, 15. The sheriff

reform was not thought of. The old English jury had an open field, but that was a rank expanse scarcely touched by the ploughshare of investigation.

Certain facts which may appear to be opposed to this remark should be considered; some of these pertain to preliminary proceedings in jury trials, some to the trial itself.

Preliminary arrangements for civil causes related to the secta, while that was yet a required part in litigation; here the judges might, and upon challenge of the men always did, inquire into their competency, to whatever extent they chose. But this was the end of the business; either the men, or some of them, were rejected, which would require a new secta in whole or in part, or the men were accepted, and the case went on to trial. The only opportunity remaining was that of examining the jurors, upon challenge; of that presently.

Similarly in the preliminary proceedings for criminal prosecution under the Assise of Clarendon (1166),[1] that is, in making up the accusing jury or accusation by "public voice" [2] — the grand jury of modern times — it appears to have been the regular course for the judges to make diligent inquiry into the qualification of the jurors. Glanvill, speaking of the assise, says of such cases that the judges were required to make inquiry into the truth of the accusation, by many and various questions, considering indications and conjectures, making for or against the accused.[3]

thus took the place of the party in the other tests. What that might mean has been intimated, *infra*, 314*n*; it speaks plainly enough to the question of impartial investigation, and the removal of sheriffs wholesale by Henry the Second emphasizes the point. Inquest of Sheriffs, 1170; Stubbs, *Select Charters*, 147–150. In the grand assise the four knights chose the jury, the parties having the right of challenge. London jurors in the civil assises might be challenged for partiality through collusion and examined. Liber Albus, I. 447. This was no doubt only a special example.

[1] Stubbs, *Select Charters*, 140. See Ethelred, III., c. 3, *Select Charters*, 72 (978–1016). Trial under the Assise of Clarendon, *i. e.*, by indictment, was not exclusive; the ancient procedure by appeal was not affected by it. The appeal was not abolished until 1819. 59 Geo. 3, c. 46. Evidence played little part under either procedure.

[2] As distinguished from the "certus accusator," in appeals, Glanvill, *infra*.

[3] "Per multas et varias inquisitiones et interrogationes coram justiciis faciendas inquiretur rei veritas, et id ex verisimilibus rerum indiciis et conjecturis, nunc pro eo, nunc contra eum qui accusatur facientibus." Lib. XIV. c. 1, § 2. So of the competency of the defendant himself to demand a particular form of trial. *Merchant and Friar*, 180–190.

This was the extent of the inquiry, unless the accused, by permission, put himself upon a jury; the ordeal was the prescribed mode of trial for half a century yet. That is, the trial itself by the old mode, or by one of the old modes, admitted of no examination after the medial judgment. It was in jury trials alone that investigation beyond the preliminaries was possible; and jury trial in the cases in question was yet very exceptional.

How did the case now stand? Here, in the preliminaries, was a plain suggestion, fortified, as will be seen, by the French inquest, which must have been familiar to the English judges; did the judges see and care? Much was to turn upon that question. Let us look into the subject.

In certain cases where the parties or the King called for inquiry out of the ordinary, great pains were taken to "inform" the jury. How this was done has been told in detail by Thayer.[1] Two or three typical examples may be given here:

1. The jurors themselves were usually community witnesses, summoned for their knowledge of what had taken place in the vicinage. In aid of them, in special cases, other sworn persons (often called jurors) were added to tell the jury, not what they "knew," but what they had seen and heard; jurors of the hundred or of some particular ward of London or other town — a separate body, at least from the fourteenth century, from the trial jurors whom they were to help. An offence is secretly committed in X; the offender flees to Y, where he is arrested; he lives in Z. Juries from all these places, and perhaps from other places, are summoned and brought in aid of the trial jury — combined it may be with the original jury — to furnish any information they had.

2. Next suppose that a deed of feoffment, or a will, for example, of one of the Humphreys de Bohun, or any other witnessed instrument, had been pleaded and put in issue. The witnesses now are the transaction witnesses of the time, named for the very purpose of giving testimony in court in regard to the subject in question, of which the instrument was to be the proof. These witnesses by the ancient law might, like an ordinary jury, decide the case; they were expected to do so. Or, as in modern

[1] *Evidence*, 90–94.

times, they might act merely as witnesses before a trial jury — this where the parties had put themselves, not on the witnesses to the instrument, but on a jury; in which case they merely "informed" the jury. Or again, the two bodies might be combined into one, according to the pleading and the judgment of the court. The names of the witnesses to the instrument were usually signed by the notary who drew it up, often without their knowledge and though they knew little or nothing at all of the transaction, or of the statements of the instrument; a fact which might or might not be brought out, according to whether or not the witnesses were challenged.

3. Another case may be mentioned. Parties were entitled to have the names of the trial jurors given them before the term set for the trial, so that, at least in property cases, they might inform the jury of their right and title.[1]

All this looks at first like evidence, but evidence it was not. Evidence means much more than the production of testimony, however strong; the term includes in its import, or rather evidence itself *is*, the rational mode of removing doubt. It accordingly imports (*a*) the production of testimony of facts, under (*b*) reasonable precautions and safeguards, and (*c*) a critical examination of such facts (1) in regard to their truth or probability, and (2) their bearing upon the issue; all of this based upon (*d*) clear and sound experience. This is the test by which to try the question of the employment of evidence in the courts under the old jury — a test in which the jury must have failed, especially in regard to second-hand testimony, which, it may be added, is often of first-rate value and often followed. But knowledge whether by sense-perception or through other rational evidence was not necessary to qualify a juror. The juror's "knowledge" might fall far short of this. Except in so

[1] The sheriff too had a hand in the business; as we have already said, he *selected* the jurors. In Palgrave's fiction of *The Merchant and Friar* (Marco Polo and Roger Bacon) the sheriff, answering the court ("Sheriff! is your inquest in Court?"), tells how faithful he has been in finding an excellent jury for the *crown*. "I have myself," he says, "picked and chosen every man on the panel. . . . The least informed of them," he goes on to say, "have taken great pains to go up and down in every hole and corner of Westminster — they and their wives — and to learn all they could hear concerning his [the culprit's] past and present life and conversation." *Merchant and Friar*, 184–190. See also Thayer, *Evidence*, 90, 91, note.

far as the term had acquired a technical meaning,[1] it meant nothing different from the "knowledge" of other men; and how vague and uncertain that is even at this day — how far from the persuasiveness of evidence — a moment's reflection will show. Men in general will readily declare they "know," when a question or two will show that they have no knowledge either directly acquired by the senses or indirectly apprehended by sound reasoning.[2] Uncritical knowledge was enough for a verdict by the old jury; special circumstances like those above stated only added somewhat to the trustworthy character of the verdict — it did not essentially change it. And it must be remembered always that we are dealing with an age of credulity in which divination, magic and mathematics, supposed to belong to the same category, all alike flourished, all equally credible. The jury of the time was better than other modes of trial, but like them it was even at its highest no more than trial by men to whom the occult was fact equally with objects of sense.

But afforcement of the jury was exceptional, as one may readily see by looking into the records of the time, for instance, the Rotuli Curiae Regis.[3] Afforcement is always particularly referred to as out of course. Usually there was a simple jury, witnesses being brought forward by the parties as in modern times — for what the jury cared to consider them worth. The jury could disregard the sworn information even of the impartial transaction and community witnesses. Whether there were witnesses or not was immaterial for the verdict; the jury "knew" what to say regardless of others. In ordinary cases, that is, unless there was special reason for inquiry by the court, no inquiry concerning the knowledge of the jurors was made. The judges merely looked on after delivering the charge; it was now no affair of theirs. It was the jury's business; to hear or refuse to hear witnesses — not merely to disbelieve their testimony — was their right. On the other hand, they were not permitted to take unsealed writings out into the jury room, because such writings were not authenticated; though they

[1] See note 2, 323, *infra*.

[2] "Hearsay" is another thing and may be and often is serious evidence. See *infra*.

[3] These are the earliest official records of litigation in England; they are of the years 1194–1199.

might look at them before going out. That indeed was scrutiny, as far as it went.

Across the English Channel, whence came the jury, a different state of things was coming to pass as early as the thirteenth century. There the jury, under the name of Inquest, had flourished for centuries before it was carried to England, and there it was to find a place in the history of judicial evidence which it did not have at the time, and never had, in England. What was exceptional and extraordinary in England was in ordinary course south of the channel. There we find the courts dealing with questions of fact regularly[1] upon something like modern ideas of evidence; ideas which were to lead in a direction of their own, not to laws peculiar to legal evidence such as came to pass in England, but to evidence in the untechnical sense of modern science. The jury was finally left to England, there to work out its peculiar course touching evidence by slow and sluggish steps.

We turn now to Normandy for evidence in support of these remarks; what do the books tell us of the course of things there? The Ancient Coutume, of date between 1276 and 1280, gives us a plain answer, so far as criminal cases are concerned. In murder trials, the Costumal tells us, the accused may put himself upon an inquest of the country, *l'enqueste du pays*. The judge was then to summon all those who were presumed to know anything about the cause, or have any information about it, suddenly, without warning or suggestion, so that they might not be tampered with. Calling each one before him, in the presence of four knights of good repute, he was next to "inquire diligently" into the facts, taking down the answers in writing. Then he was to have the accused brought before those whom he had examined, and permit him to challenge any of the number. The jury should finally consist of twenty-four men at least. Similarly, in cases of theft or robbery, summons was to be made of lawful jurors, who knew the truth in regard to the facts and the life of the accused. These were now to go before

[1] The credulity of the age, however, found its way still in the courts of justice. Appeals of sorcery and enchantments occupy a chapter of a page and a half in the printed text of the *Ancien Coutumier de Bourgogne*, ch. XXXI, Marnier. "Se une feme dit à une autre: Tu has fait ces charraies (enchantments) et ie t'en prouerai. Se au provez vient, prouer le droit par loial tesmoins qui haient veu et oi, et oi recognoistre que de fit ces charraie. . . ." 13th century.

the judge, with three or four knights, in secret, to be examined diligently, one by one, in regard to their knowledge and belief concerning the life and acts of the accused. Then came the opportunity for challenge, and after this what each juror had said was to be declared before the accused by the judge, and the jurors were to confess that they had sworn accordingly. Verdict by twenty was to be conclusive.

A decision of the Norman Court of Exchequer of the year 1292 may now continue the inquiry. In an inquest or jury, upon a writ *de stabilia*,[1] the judge asks the jury, who had made their answer, of the ground for what they had declared — was it "de scientia"? The jury answered that they spoke "de credulitate" — they *believed*. The question was then raised whether such answer was sufficient; judgment that according to custom it was, in that case, and that knowledge was not required.[2] That is, it seems, certainty — knowledge by the senses — was not necessary before a *jury*. Here was the beginning of a precedural distinction, which was to be complete in the following century; this appears by a decision which throws light backwards and forwards. It was now held that any one who could produce evidence *de certain* — *de scientia*, knowledge by sense-perception — had the right to choose between bringing his case before a judge or putting it upon a *jury* — *enquêt*. Such a person was not to be compelled to go to a jury — that was the point decided.[3] Here was a distinction which, looking backwards, shows that the judge had already acquired the power, in civil cases as well as in criminal, of deciding questions of fact; this alongside the older process of jury trial.

But the meaning of it is more significant than the mere fact; the judge acts upon facts of knowledge by the senses — sight and hearing — while the jury is now and probably has long

[1] For the protection of one's fief, possession of which had been disturbed by some powerful lord. De Gruchy, in note to his ed. of the *Ancienne Coutume de Normandie*, 154.

[2] *Statuta et Consuetudines of Normandy*, Warnkönig, quoted by Brunner, Schw. 451.

[3] "Qui veult prover par preuve destroite, c'est assavoir par tesmoing de certain, il ne doit pas estre contraint à prouver par enqueste; car à cellui qui a à faire la prevue est à choysir ou prendre preuve destroite ou loy (lex) d'enqueste, na sa partie ne lui peult empeschier, car la plus forte loy abat la plus fieble." Brunner, Schw., 453, quoting *Coutumue Style et Usage aux temps Échiquiers de Normandie*, Caen, 1847, ch. 28, 30.

been the proper agency for the trial of cases of less certainty, "feeble" cases. And the reason is plain; the judge would not be likely to know anything about the facts — he was not expected to be; hence he should be informed with certainty. The jury, on the other hand — the body of men of the community, *du pays* — has been chosen for the very reason of their knowledge, in either form, first hand or second; hence they might make sufficient the "feeble" facts of the party — that was regular business of the jury. In other words, one having "certain" knowledge was not to be required to put this in doubt, by putting it before a jury; while one dependent upon others, or upon reasoning more or less doubtful, was to have the aid of his neighbors, the jurors, so far as that might help his infirmity.

The jury was now exceptional process, resorted to only in cases of need — lest for want of the better evidence, one fail and lose one's right.[1]

This is the light thrown backwards by the procedure. The jury is for the feebler case; the feebler case is displaced (by the decision of the Norman judge) for the stronger. We may now see the light as thrown forwards. The decision just mentioned, together with the case of 1292, is a forerunner; the road to Rome is open;[2] the course cannot be long. Norman and Anglo-Norman[3] are to part company completely; the jury will come to be looked upon as an English notion, as a subject for the French (or German) antiquary. In the fourteenth century the "feebler" way has disappeared altogether;[4] both kinds of fact, knowledge by the senses and knowledge less certain, have come together as evidence, and so French law has settled any doubt whether south of the channel there should grow up a congeries of laws of investigation peculiar to the administration of justice. The conception of evidence, in the sense of science, has now prevailed, whatever its relation to the canonical Inquisition of the Middle Ages. All facts which are calculated according to

[1] "Avant que le droit perisse, l'en se aide des enquestes." Brunner, *ut supra. Style et Usage*, ch. 28, 28.

[2] The Roman judge or prætor was before the mind. "Hors jugement en aulcun lieu hors du *pretoire*" — court-room. Stille de proceder, Normandy; Brunner, Schw. 455.

[3] "Anglo-Norman" is belated for the 13th century, but it is better than "English" when applied to the courts.

[4] "Die germanische Scheidung zwischen Richter und Urteilfindern war verschwunden." Brunner, Schw. 456.

experience to influence or throw light upon conduct, second-hand as well as first-hand facts, are to take their place, in the findings of the judge, according to their worth. The function of the jury has been absorbed in that of the judge.[1]

So in France. What was going on in England? The distinction between the two kinds of fact brought about another result there. Facts furnished by witnesses were to be of the senses, *de visu et auditu*. Evidence by sight was a clear case; I see by my own eyes, not by the eyes of another. But hearing has a double import. I may hear a sound myself, or may hear another tell of it, and that other may have heard it from someone else. The English law, after its earlier doubts,[2] put aside second-hand evidence; a course that has made it necessary, more and more down to the present day to heap exception upon exception, until confusion is enough to baffle all but the persistent few who can follow the attenuating thread of history back to its obscure and distant beginnings. The administration of law could not fail to be embarrassed when so much of life was shut out of hearing in the halls of justice; or rather, when by reason of trial by jury questions of fact not within one's own observation must not be permitted to go to the accredited judges, jurors or not, and when something called the "best evidence" is considered alone to be admissible — to the exclusion, that is to say, of what does not fall within the meaning of that doubtful and discredited term.[3]

The difference thus shown between methods on the opposite sides of the channel — between Normans (and English) on the one side and Normans on the other — is striking.[4] The Anglo-

[1] This had come to pass completely by the latter part of the 14th century. See Le Grand Coutumier de France, lib. 4, c. 1, on the office of Judge, Paris, 1868. The judge or some deputy examines the witnesses with modern thoroughness. So far as any express language is concerned it is true, as Brunner, Schw. 457, says, that there is no trace in France of opposition to the jury; but the abandonment of the jury speaks for itself.

[2] As in the case of the champion; he at first was a witness, swearing either upon what he himself knew or what his father had told him. Other witnesses and jurors had sworn in the same formula.

[3] See Thayer, *Evidence*, chapter XI., where the history of the "best evidence" is set out. It should be said that much of this runs back to times before the English jury, as Thayer has shown; but it is still pure English, its devious course everywhere affected by the jury.

[4] The difference, which is the subject largely of this paper, has been noticed by others as needing explanation. "When all has been said, the almost total

Norman judge saw in the jury only a particular organ for expressing habits of mind long before formed; habits in which the judge was but a moderator, presiding over justice as a sort of contest, to see that the old rules were observed. Judges who could approve the introduction of trial by battle could naturally see nothing in the jury but a new form of old processes of trial, with twelve witnesses in the one case to one in the other.[1] The idea of evidence, except as partially employed in the qualification of witnesses and jurors, did not enter the mind or at any rate found no expression. Exception was to remain exception, generation after generation, without suggesting that it was only part of a general rule.

The Norman judge was a different man; he saw a light in the jury and began to play, in however small a rôle, the part of the coming modern man. He appears to have realized that the only way to decide disputed facts was by evidence, and evidence was now introduced into his court for the first time since the fall of Rome. What he saw was not so much the jury as the suggestion it brought, that questions of fact could and should be decided by evidence; and for that purpose a jury was no more needed in France than it had been in Rome, or than it is now in England or America. And so the jury was put away.[2]

It is hardly necessary here to say that no argument is being made in favor of the later canonical inquest of continental Europe — better known as the Inquisition. That was an unnecessary outcome of a legitimate antecedent. England very likely did, as Maitland has pointed out,[3] have a narrow escape from that danger; but it was not the jury that saved the day.[4]

disappearance in France of the old *enquête du pays* in favor of the *enquête* of the canon law at the very time when the *inquisitio patriae* is carrying all before it in England is one of the grand problems in the comparative history of the two nations." Pollock and Maitland, *History of English Law*, II. 602.

[1] See Glanvill, Lib. 2, c. 7, *infra*.

[2] The jury of the neighborhood — du pays — was particularly adapted to its original purpose of ascertaining fiscal or crown and ducal rights of property, scattered throughout the country and denied as they were; much more so than the many other facts to which it was and is directed; the trial jury was later than the fiscal jury.

[3] *English Law and the Renaissance* (Rede Lecture). See also Maitland's *Roman Canon Law and the Church of England*.

[4] The contrary must run thus: France, which had the jury, gave it up, and the canonical inquest followed; England which had the jury, kept it; and the canonical inquest did not follow. Ergo England was saved by the jury. Praise

That, however, is beside the present point. All that these remarks are intended to show is that the jury stood in the way of evidence and put off the day of sound inquiry for generations — until indeed the Court of Chancery was brought into being to put an end to the embarrassment. It matters not that trial by jury at last found the way, so far as that is the case, for it found the way only through special rules for excluding evidence.

The explanation of the difference between the Anglo-Norman and the Norman judge may perhaps be found by looking at the subject from the point of view (already intimated in "habit") of psychology. With the Anglo-Norman judge the cognitive and the conative (or willing) functions of the mind had by long, unbroken usage become settled ("rigid"), and the relation between them was accordingly imperfect. The difference between men is the difference of mental preparation, whether by heredity or environment, or both. The mind responds to the stimulus for which it has been well prepared, and in ordinary circumstances to that only. Stimulus must be powerful and usually long-continued to break up habit finally. With the Norman judge the cognitive and conative functions appear to have remained, or to have become, mobile ("plastic"); the relation between them accordingly was sensitive to the special stimulus, and cognition was the means of arousing the will to action. In a word, the reaction of the Anglo-Norman judge to the introduction of the jury was reflexive; that of the Norman judge was reflective.

If this is the right way to put it, it was not so much a preference for the old ways, in the case of the Anglo-Norman judge, as it was a fixed habit of mind which really governed his conduct. Why the Norman in England fell short of the Norman in Normandy was perhaps because the feeling of the English, many of whom were retained in office after the Conquest, was strong enough to stifle any direct effect of the stimulus. How else can the fact be accounted for, that the Norman mind, quickened into legal life in Normandy, was repressed, to find an outlet only in minor ways, in England?[1]

of the English jury in contrast with the development of the continental inquest almost leads to that — it easily suggests it.

[1] Anglo-Norman judges — and the king-duke, from the Conqueror to John — took part in the administration of justice on both sides of the channel. Foreigners in high places were the scandal of Henry Third.

Three centuries after the Norman Conquest must indeed pass before there was to be any serious stirring in England of the stagnant pool; for the reforms of Henry the Second touching the jury still left the jury a form of trial. Not until the latter part of the fourteenth century were the need and efficacy of evidence for determining questions of fact driven home, although throughout this long period the judges were daily being brought face to face with the most momentous questions that ever could affect society — questions of life, property and well-being. Such was the power of a custom. Discredited, as some of it was, even in its day[1] — for the primitive stage with the governing class was passing away[2] — it could confine the human mind within a prison-house whose doors needed but a touch to open them, and there was no one to lift the latch. But what we call custom is social habit — a secondary form of mental disposition which thus becomes part of the structure of the mind of all men within its operation. It was not the judges alone who could treat custom as positive law,[3] as if it were statute; lords and commons alike — the commons were wedded to their idols — were affected. Kings too could come and go, leaving a great name for achievement in the affairs of State, while showing at best only a negligible interest in the value of judicial processes of evidence for the discovery of truth. It was an age in which observation set no bounds to truth. The jury was indeed in favor, but not as a body appointed and devoted to the investigation of facts.[4] There is no indication even of a desire for better

[1] Rufus said of trial by ordeal that men need not appeal to God, he himself would decide. But his bold word was void. See Thayer, *Evidence*, 38; Eadmer, *Historia Novorum*, 102 (Rolls series); Pollock and Maitland, II. 597; Brunner, Schw. 182. Fifty men who had been complained of for taking the King's deer cleared themselves by the ordeal of hot iron. Bigelow, *Placita A. N.*, 72. Such a number may have something to say about the ordeal, it is thought. No doubt ordeals could be manipulated, but so could and can the jury.

[2] The 4th Lateran Council, 1215, found the time ripe for striking a blow at the ordeal. Change of ways of thinking and acting comes with increase of knowledge. "When I was a child, I thought as a child," etc. But the thinking and acting of the child are normal and healthful.

[3] "Since waging law has always been practiced, and no other way" for many cases, "this proves in a way that it is *un positive ley.*" Ashton, J., Y. B. 33 Hen. VI. 7, 23, quoted by Thayer, *Evidence*, 29.

[4] Even Glanvill, the Chief Justiciar and panegyrist of the jury, could pit that body against trial by battle as a case of twelve witnesses against one. Lib. 2, c. 7.

things until the Court of Chancery broke down the ancient barriers. It was for that new energy to point and lead the way, however faintly, to the discovery of truth, and to supply the power for making good the truth when discovered.[1] The Court of Chancery introduced, not indeed technical rules of evidence — it was for the jury to do that — but the modern era of sound judicial inquiry into questions of fact.[2] That court dispensed with any intermediary needing both instruction and control; it required parties to testify; it had the King instead of a sheriff to guard its work. It did not hold seeds which were to sprout into a volume of judicial rules for excluding evidence; rules too often whose meaning only some hardy explorer of legal history could in our day discover — rules which were to vex the courts long after the jury had for most civil purposes gone the way of all things which have lost their skill to win favor in the practical affairs of life.[3]

This part of the inquiry may close with some remarks on the defects and the advantages of the old mode of jury trial.

The defects may be summed up in the statement that no sound method of examining fact was in use. There was no critical examination at the critical moment — at the time when the jury came before the court to give the verdict. The jurors

[1] The only man before this time, who was capable of greater things, was in his own day, as he himself tells us, unheard, forgotten, buried. Roger Bacon, *Opus Major*, 1267.

[2] Even if evidence in the true sense had been employed in the courts of England during the period in question, it would not have been English, as it was destined to become — pure English. If it had come into use in Norman times, it would probably have followed the French inquest; that is, there would have been no laws of legal evidence. All the later writers on evidence point out the fact that the English courts alone have a law of evidence peculiar to the trial of causes. See e. g. Thayer, *Evidence*, at the beginning of his Introduction. The jury, and nothing else, is responsible. The peculiarity seems to have begun as early as the first half of the 14th century, perhaps earlier. See a case of the year 1340, Y. B., 14 Edw. III. 25–34, quoted by Thayer, pp. 108, 109, to the effect that jurors could not "know" the existence of legal records not produced before them, however strong the reasons given by them to show the fact. But perhaps the judges as well could not "know" such things; if so, the case would be one of substantive law and not of excluding evidence. In either case knowledge was already a technical term, limiting inquiry accordingly.

[3] It is not altogether a matter of the exclusion of evidence that could not safely be left to a jury; the trouble is that rules of substantive law and procedure have been confused with evidence. But that is equally due to the jury. Thayer has made this plain in his preliminary Treatise on *Evidence*, so often cited in these pages.

were witnesses as well as judges of fact, and as witnesses the occasional and irregular examination (dependent mostly upon challenges, which might not be made) in making up the panel could not take the place of a searching examination when the witness-jury came forward, in open court, to give answer on the issue. The parties were now ready and prepared, according to modern ideas, to sift the evidence and clear up the doubts. Party witnesses indeed were of little value and were not examined at all; and such examination of the juror witnesses as took place was out of the ordinary course, much as it was in making up the panel. It was occasional and exceptional, employed only as grounds of suspicion of the jury arose; and when it did take place, it was not of the critical, exhaustive nature which would satisfy modern ideas. Cross-examination was unknown; the judge conducted such examination as was made, and such as he chose; precautions and safeguards, especially touching "knowledge" acquired out of court, were insufficient. The witness-juror judged of the value of his own ideas and information!

What advantages were there in the old jury trial, for discovering truth? These were equally noteworthy. As witnesses themselves, the jurors were left without restriction in regard to what, as men of good sense — freemen and true[1] — they deemed relevant and proper. They would and did act upon belief and thoughts;[2] they could and did act upon what their fathers told them to be true, and generally upon hearsay, which men in our day speak of somewhat contemptuously — as if half the affairs of life were not founded upon hearsay. They could act upon whatever appeared to them trustworthy[3] — upon anything which they thought likely to throw light upon the question at issue. Here was in principle all that the subject-matter of evidence requires. The defect was in dealing with it. The age was uncritical; no one knew, or at any rate cared, how

[1] "Summone . . . duodecim liberos et legales homines" is the usual language. Glanvill, lib. XIII.

[2] The *Mirror* (13th century) calls this one of the "abuses"; but that shows the fact, and only a private objection.

[3] The jurors swore to decide "per proprium visum et auditum . . . vel per verba patrum suorum et per talia quibus fidem teneantur habere ut propriis." Glanvill, lib. 2, c. 17. This was in the grand assise, made to accord perhaps with the champion's oath, in trial by battle in Glanvill's time. But other juries swore in the same way.

to make a proper use of the means of investigation. Nothing was excluded; but wisdom failed.

It would not do to stop with noting the advantage of a clear field. Witnesses of the parties were sworn to state only what they had seen and heard; and this would have led, and, when the modern jury came into operation, did finally lead to the exclusion of evidence, for the modern witness still testifies ordinarily to the evidence of his senses. But the old jurors swore, as we have seen, to what they knew, which led further than might at first be supposed. It led juries to take account of states of mind, as in the ordinary course of things; in this respect following the more ancient modes of trial. There was no more common process in the thirteenth century — and for centuries before in other forms of procedure — than jury trial under the writ *de odio et atia*, to determine whether a person in prison had been put there by actual hatred or malice.[1] And there was also the proceeding of the writ of conspiracy, for a malicious prosecution, which with some changes has come down to our day. The old jury was never restricted to finding acts and omissions.

In modern times — in very recent times — much question has been made with regard to evidence of states of mind (apart from cases of alleged insanity). The modern jury is made up of men who are ignorant of the facts to be proved; the jury must learn everything from witnesses, but, apart from expert witnesses, these speak mainly of matters of knowledge acquired by the senses. Can a jury then — or a judge, for the judge has become a juryman — find mental facts, as ground of liability? That has been a subject of considerable discussion, which of course I cannot enter into here.[2] But I suppose that there has been no real departure from the old position; the mind, though indirectly, as well as the act, is the subject of inquiry.[3] But

[1] This afterwards gave way to the writ of habeas corpus, a proceeding tried by the judge without a jury. Many jury cases may be found in the Rotuli Curiae Regis (1194–1200). See e. g. Vol. II., 30–31, 97, 120, 230, 278. I have noticed only one case in the last five years of Richard's reign. Vol. I., p. 52. And this case looks untechnical. Perhaps the writ was adopted in the first year of John, from the practice in the lower courts, popular and franchise.

[2] The English Utilitarians and Holmes on the Common Law, make external standards the test of liability, and make little of states of mind. See especially J. S. Mill's Essay on Utilitarianism.

[3] Legally speaking (apart from statute) acts and omissions, though resulting in damages, are nothing in themselves; wrongfulness must be added — a mental quality is necessary.

we have to break somewhat with the idea of the modern jury, as a body to be informed by witnesses speaking only to the senses, to reach that result; otherwise why should not witnesses speak directly to states of mind? Why not ask a witness what he thinks? What I say that I think is evidence, according to its importance and my means of information, everywhere except in the courts of justice, and would be there but for the modern jury. We have defects as well as advantages in our jury. The change in the function of the juryman has been not merely in the fact that from being a witness as well as judge, he has become a judge only, dependent upon others for facts: modern courts have learned the method of evidence. They have, that is to say, learned how to deal with the evidence to which the jury system has limited them. Much of the supply of facts which the old jury had to draw upon has been put out of court, and confusion has been added to much that has been kept. It comes to this: The old jury had a complete supply of material not properly prepared; the modern jury has an incomplete supply of material properly prepared. Who would go to our courts for instruction may with confidence study an incomparable method, while looking with mingled feelings upon a process devoted to truth, which begins by turning away half the stream of evidence, and then sets to grinding out grist of rules for turning dribblings of the waste back to old, forgotten uses.[1]

The history of the Court of Chancery lies beyond the field of this paper; but it is only right to say that while that court set out with the promise of gain without loss, it fell into the mistake, in its later history, of treating hearsay as a matter of substantive law, which of course would bind the chancellor as well as the common law judge. The modern jury has affected the entire course of justice the world around. But the Court of Chancery was a true light; the Old Era was at an end; in course of time a Chancellor produced the Novum Organum.[2]

[1] See e. g. the "best evidence" rule, Thayer, chap. XI. The only noteworthy change that took place in the function of the old jury was that, on the advent of professional lawyers as judges (*temp.* Edw. I.), the jury, or "laymen," as they were significantly called, were now required to confine themselves to questions of fact. They must not pass on matters of law. Before that time, when the judges themselves were mostly laymen, this obviously could not be done.

[2] As for Harvey's gibe at Bacon, that "the Lord Chancellor wrote on science like a lord chancellor," it would have been easy, and equally vain, to reply, that when Harvey said that he did *not* speak like a man of science.

If then the history of evidence may be treated as calling for a consideration of the ancient period of trials, the old jury may be regarded as the last link of the earlier part of the chain; while the Court of Chancery is the first link in the modern mode of investigating truth.[1]

Two Grant Letters.

Professor Bassett contributed copies of two holograph letters from General Grant to S. L. Hamlen, dentist, preserved by his daughter, Miss Elinor Hamlen, of Northampton, and by her presented to the Smith College Library, March 16, 1916.

Near Vicksburg, Feb. 11th, 1863.

Dear Sir: I met with a serious loss this morning through the carelessness of a servant. On going to bed last night I left my teeth in the washbool with just water enough to cover them over. This morning the servant who takes care of my state room emptied the basin into the river teeth and all leaving me in rather a bad fix away as I am from where damages can be repaired.

If you are coming this way can you not bring the material for taking an impression so that a set can be made for me and forwarded. Respectfully, &c.,

U. S. Grant,
Maj. Gen.

Head Quarters, Military Div. of the Miss.
Chattanooga, Ten., Dec. 7th, 1863.

S. L. Hamlen, Dentist, is authorized to practise his profession at any point within this military command. Permits will be issued for Dr. Hamlen, by Provost Marshals, to pass, with such material

[1] It is not intended to intimate that the Court of Chancery at once anticipated the modern methods of science in the investigation of truth; all that is meant is that it lighted a torch, however dim, for such investigation, so far as the administration of justice is concerned. If the field was narrow, the aim was modern: 1. The old modes of trial were left aside. 2. Cases were not one-sided, party affairs; the *court* dealt with the complaint. 3. The defendant, who knew the facts, was required to testify. 4. Examination of facts was not confined to preliminaries of competency — it was extended to the merits as being the ground of interference. 5. The King's direct power was added, the chancellor being the King's right arm, in a sense not true of the ordinary judges. The truth must be found and must prevail. All this has a forward look, though, in fact, it was the civil (Roman) law on English soil.

as may be required in the practice of his profession, from Cincinnati to the point where he may desire to locate.

U. S. GRANT,
Maj. Gen.

CERTIFICATE BY CHARLES CHAUNCY.[1]

3 (9) 1665

Thes are to testify to the Lords people, as occasion required that Benjamin Eliot,[2] Bachelor of arts, hath for the space of foure yeares lived with us, being diligent in his studyes and in constant repairing unto the worship of God, so that of later times he hath given my selfe good evidence, that the Lords call of him to the fellowship of Christ hath bene effectuall unto him, so that he hath the root of the matter in him; so that I hope that he will, by Gods grace be a profitable instrument in the church of Christ as God shall be pleased further to call him and choose him to beare his name. This I testify as well acquainted with his ways and willing to encourage such beginnings in the Lord.

CHARLES CHAUNCY.

CONVICTS FOR TRANSPORTATION.[3]

To all People to whom these presents shall come, Charles Brackenbury of Hull, in the Kingdom of Great Britain, merchant, (at present in Boston in New England) sendeth Greeting. Know ye That I the said Charles Brackenbury for and in Consideration of Four hundred and Twenty Pounds New England Currency of the old Tenor to me in hand Paid by Messrs Charles Apthorp and Thomas Hancock both of Boston aforesaid, Merchants (the receipt where of I do hereby Acknowledge) Have and by these presents Do Grant sell assign and make over unto said Apthorp and Hancock their Executors Administrators and assigns the several Persons hereafter named That is to say, John Fowler, John Jeffers, Andrew Crombey, Robert Mason, Thomas Balderson, James Williamson and Roger Ferguson, the said [James] Williamson and Roger Ferguson for Fourteen years each, and [Fowler] Jeffers, Crombey, Mason and Balderson for seven years [each *torn*] all my right and title in and to said several persons [their] times of Transportation, they being Per-

[1] From the Washburn Collection, 010. 4. 5.

[2] Eliot, a son of the "Apostle," born January 29, 1646–47, graduated from Harvard College in 1665, and died October 16, 1687. He is said to have assisted his father as a preacher, but was never ordained or married.

[3] From the collection of Charles P. Greenough.

sons severally Indicted and Convicted of Sundry Crimes, and were sentenced to death and some of them to Transportation. Since which his Majesty has been most graciously Pleased to Extend his Royal Mercy to those sentenced to death on Condition of Transportation to some of his Majestys Colonies and Plantations in America for the Terms aforesaid. Which Convicts and their times of Transportation were Lawfully assigned to me the said Charles Brackenbury by Mr. William Cookson of Hull in Great Britain Esq. Merchant, who was the Contractor with the Government for them.

Witness my hand and seal this eighteenth day of July Anno Dom 1747.

CHARLES BRACKENBURY. (Seal)

Sealed and delivered
in presence of us
THOS. TEMPLE
[*torn*]

Remarks were made during the meeting by Messrs. WENDELL, GRANT, and ADAMS.

MEMOIR

OF

EDWARD HENRY STROBEL.

BY LINDSAY SWIFT.

EDWARD HENRY STROBEL was elected a Resident Member of this Society on January 9, 1902, in recognition, as the President, Mr. Adams, said, "of distinguished services rendered and results accomplished in the field of international law."[1] During his membership he made no communication to the Society. In the summer of the year of his election the position of General Adviser to his Siamese Majesty's Government was offered him, and from then until his departure for Bangkok, in the fall of 1903, his time was so fully occupied that his absence from the meetings of the Society was unavoidable.

Strobel was born in Charleston, South Carolina, on December 7, 1855, and died in Bangkok, Siam, on January 15, 1908. His parents were Maynard Davis and Caroline Lydia (Bullock) Strobel, and he and a younger sister, still living, were the only children. The father, who was of Flemish descent and who was cashier of the Farmers' and Exchange Bank of Charleston at the opening of the Civil War, had put all his money into Confederate bonds, and after the close of hostilities found himself without means and in no position to retrieve his fallen fortunes up to the time of his death in April, 1868. But he remained in Charleston, where his grandfather had come about 1750, while Mrs. Strobel and her children, after the burning of their house during the first year of the war, were obliged to

[1] 3 *Proceedings*, I. 319.

MHS

Edward H. Strakel.

leave the now beleaguered city and finally take refuge in Chester, South Carolina, where the family has since remained.

Entering Harvard in the autumn of 1873, Strobel found life there vivid and interesting, for he easily made friends and was not denied the pleasant social relations which make a college career doubly helpful. He was a member of the Everett Athenæum, the Signet Society, and the Phi Beta Kappa. He won a Lee prize for reading, a "detur," and a second Boylston prize for elocution. After taking second-year honors in the classics, he graduated in the Class of 1877 with honors in classics, and delivered the Latin Oration on Commencement Day, June 27, 1877. On the platform during that august but always overcrowded occasion sat President Hayes and also James Russell Lowell, who had just received the appointment of Minister to Spain. Strobel in the course of his oration referred to Lowell's approaching journey "per nebulas et undas," and the President smiled, let us hope without previous intimations, at the felicity of the bilingual play upon his own name. So, as it is pleasant to fancy, was begun Strobel's aptitude for diplomacy, for one can hardly suppose that the young Southerner's enthusiasm for the Chief Executive was at that time other than restrained.

He entered the Harvard Law School in the fall of 1877, but did not finish his course there until 1882. In 1880 and 1881 he visited Europe for the first time and at various periods tutored students with marked success.

In 1883 he was admitted to the New York Bar. After a short practice, however, he came to the conclusion that it was the part of wisdom in a man of his temperament to seek a career of achievement in broader if not richer fields, and to abandon the opportunity of making money for the reasonable hope of making a reputation. Whether or not the country lost an able lawyer by this decision, it is not safe to say. Diplomacy certainly was the gainer.

Coming to Cambridge and Boston in the summer and fall of 1884, after this renunciation of a chance to be obscurely prosperous, Strobel now set himself diligently at work to prepare a campaign document against the candidacy of Blaine, published anonymously under the title *Mr. Blaine and his Foreign Policy*. In this remarkable skit were none of the appeals familiar to the

American voter. It was cold, severe, ironical, but unfailingly courteous. I have never been able to compare it with any other partisan document, except to its advantage. In that campaign of 1884, waged so ruthlessly on both sides against the personal characters of the two candidates, Cleveland and Blaine, Strobel's pamphlet stood peculiarly alone. Financially it brought him but slim reward, but it showed in its keen analysis of Mr. Blaine's diplomatic career, an unmistakable capacity for dealing with large affairs. So at least President Cleveland seemed to think, for about a year later he commissioned the aspiring young publicist as Secretary of Legation at Madrid. "I was received very kindly here," he wrote me soon after his arrival in Spain, "by Mr. Foster, the Minister. He has sent in his resignation and leaves on September 1. I look anxiously at the newspapers in order to see whether there is anything about the appointment of a new Minister, for, as you know, on Foster's retirement, I shall be accredited to the Spanish Government as *Chargé d'Affaires ad interim*, and the salary for that period will be $500 per month. So God grant that the interregnum may be a long one, notwithstanding the responsibility, which is more or less great. It is a satisfaction to know that even if a new minister is appointed, the cholera will probably frighten him away for some time."

His wishes were in a large measure gratified. Dr. Jabez Lamar Monroe Curry, the Minister named by President Cleveland for Spain, was away, largely by reason of ill-health, a considerable portion of his term, and Strobel ably filled the position of Chargé, thus gaining a much larger experience in the exercise of responsibility than he could possibly have had as a Secretary of Legation. During his five years' stay in Spain (1885–1890) Strobel acted as Chargé about one third of the time. Although he was assured by Secretary Bayard that he had accomplished more in a single year than his predecessors in twenty years, Minister Curry found the climate of Madrid so detrimental to his precarious health, that he was obliged, on August 6, 1888, to tender his resignation. During these three years a heavy burden of work and responsibility rested on the shoulders of the young Secretary of Legation.

Having no memoranda at my command, I dare not venture

my recollections of some of the eventful experiences through which Strobel passed while in Spain. There was one vivid story of his brave attempts to convince certain ardent and speculative Americans that they were entering on a futile task in attempting to raise some sunken treasure ship from depths into which it had probably never fallen. I wish that I could accurately recall his graphic account of a notorious adventurer calling himself the Duke of Arizona, who claimed vast domains in the far Southwest on the strength of old and veracious-looking Spanish deeds. The noble Duke was at last caught, while trying to insert forged *cédulas* of apparently great antiquity into the archives at Seville. Strobel was ever ready to assist any one in a serious endeavor, and I think that he was sorry to learn that the Duke of Arizona proved to be such a graceless scoundrel. Among other official experiences in Spain — the death of the King, the marriage of the Infanta Eulalia, the birth of the present king, the hatting of a cardinal — perhaps the most important to Strobel was his representing the United States at the funeral of King Alfonso XII.

In 1889 the Republican party came back into power, with Mr. Blaine as Secretary of State. Never a man of small revenges, the Secretary retained in office for a year his vigorous but polite assailant. Differences had arisen between the Moroccan government and the American Consulate, and to straighten them out Strobel had been sent to Tangier in February, 1888. The following year he travelled nearly two hundred miles into the interior on horseback in order to have audience with the Sultan of Fez. On this occasion Strobel, to whom something out of the common was always happening, found himself far from the possibility of friendly succor, at serious odds with his interpreter and with a little army — a mere handful of hirelings — that he had scraped together for the embassage. Things looked dark for American diplomacy in northern Africa at that moment, when there appeared a *deus ex machina*, a Jew who had formerly kept a tobacco shop in the Hotel Pelham in Boston, where Strobel used often to buy cigarettes. What American straightforwardness failed to accomplish was quickly set right by Hebraic persuasiveness, and the mimic army soon moved forward to its destination.

Strobel tendered his resignation as Secretary of Legation at

Madrid on June 17, 1889, but it was not accepted by Mr. Blaine until February 13, 1890. In June of 1891 he wrote me from Pau, Basses Pyrénées:

> Since my leaving the Legation, I have led a life of quiet and virtuous tranquillity. I was about to return to America last autumn when I received a very advantageous offer to spend the winter at this place with a youth who was not going to college, but whose family wished him to have as much of a dab at the humanities as I could give him in a short time. If Mr. Cleveland should be the next President, I should like to go back into the Diplomatic service, if I am offered a good appointment; if not, I think that I shall go out and settle in Butler's town (Superior, Wisconsin), where I have a few hundreds invested that appear to have increased in value.

On April 13, 1893, President Cleveland commissioned Strobel Third Assistant Secretary of State. The appointment was not unwelcome, but Strobel had strong hopes that it was only a stepping stone to something higher, and such proved to be the case, for in April, 1894, he became our Envoy Extraordinary and Minister Plenipotentiary to Ecuador; his retirement from the Department of State occurred on the sixteenth of that month.

On the eve of his departure for Quito he wrote me, on May 29, 1894: "I have a long and hard but interesting journey before me, fourteen days over the Andes from the coast. You are quite wrong about its being hot — the cold is rather to be dreaded. . . . I shall write you soon after my arrival and tell you something of the country. There is not much to be done in Ecuador and I am taking out a box of solid works for the purpose of mental improvement." This journey of one hundred and sixty miles from Guayaquil had to be taken on muleback to reach finally an altitude of 9000 feet at Quito.

At last the real career of Strobel was fairly begun, but the Quito post by no means represented the goal of his aspirations, and the tenure of it was not long, for in December of the same year (1894) he was tendered the appointment of Minister to Chile. The experience at Quito, however, was valuable, and a good preparation for the larger field in Chile. Mr. Cleveland must by this time have fully recognized the peculiar fitness that Strobel had for certain kinds of negotiations, re-

quiring an infinite good nature and tact, together with an unmistakable firmness of character. At the time of his appointment to Chile there was little love lost between that country and the United States. After the overthrow by the Junta of the formerly successful and enlightened Balmaceda, and his suicide in December, 1891, the leaders of the revolution cherished most hostile sentiments against the United States, believing that Strobel's predecessor, Patrick Egan, was misrepresenting them in his own country. In this acute state of affairs occurred the incident of the landing of the two boatloads of sailors from the U.S.S. *Baltimore*, and of the brawl on shore ending with serious and even fatal results. Redress was demanded and refused. Thereupon the *Yorktown* and the *Boston* appeared off Valparaiso. President Montt, who had succeeded Balmaceda, immediately assumed a more courteous tone, apologies were made, and indemnities paid for the men who were killed in the affray. Mr. Egan was severely criticized at home as well as in Chile, but his course was defended by President Harrison. Taking all things into account — especially the recent ill-feeling between the two countries and the sentiment against Mr. Egan — it does not appear that the new Envoy-Plenipotentiary had been dropped on a flowery bed of ease by way of diplomatic promotion. It is gratifying to recall, however, that Strobel found it possible to say many agreeable and commendatory things of Mr. Egan's conduct in Chile.

After a busy and successful experience he resigned the Chilean appointment in February, 1897, and actually retired from office in August of the same year, but not before he had performed one of the most significant acts of his career. "By a convention," I quote here from the Sixth Report of the Secretary of the Class of 1877 of Harvard College, "signed July 2, 1897, between France and Chile, Strobel was appointed arbitrator in the claim by the French citizen Charles Fréraut against the Government of Chile." Each side, so I have been informed, was to name an arbitrator, and these two men were to choose a third — three arbiters in all. It was found, however, that both parties to the negotiation had named Strobel, who was thus constituted the sole arbiter. A compromise of some sort was arrived at in this Fréraut claim, but the French govern-

ment, impressed by Strobel's ability and fairmindedness, made him an Officer of the Legion of Honor. His experience in Northern Africa and this Fréraut matter serve to show his peculiar capacity for settling a difficulty entirely on his own undivided responsibility. In 1898 he published a book on the *Spanish Revolution*, 1868–1875, on which he had been engaged for seven years.

Now twenty-one years out of college and as yet unrecognized by her, Strobel was at last to know that his Alma Mater had not forgotten him. The Bemis Professorship of International Law in Harvard University, according to the terms of the bequest, was to be held only by some one qualified, through actual diplomatic service, to teach his subject in a spirit freed by residence abroad from ordinary national or sectional prejudices. Strobel seemed to meet the requirements of the bequest, and this chair was accordingly offered him in June, 1898. Were the political structure of this country other than it always has been and still continues to be, it would have been deemed a most rash thing for a man like Strobel, still in the prime of life, to renounce a career for which he had a strong liking and in which he had already shown marked ability, in order to settle down into routine work even in so honorable a position as a professorship in Harvard University. The distinction of the offer of this chair at Harvard and the knowledge of the useful work he might be able to do appealed favorably to his judgment, and he therefore accepted the position, without allowing the temporary abandonment of a cherished calling to interfere with the sincerity of his decision and his satisfaction in being offered the position. Not only did he give in the Law School a half-course in "Admiralty" and a full course in "International Law as administered by the Courts," but in the College itself, a full course for advanced students on "International Law." His courses were popular, and his manner, naturally simple and bearing the stamp of unaffected directness characteristic of modern diplomacy of the higher sort, appealed favorably to the students, who liked and respected him. I am safe in saying that Strobel enjoyed his work at Cambridge, although he was hampered by uncertain conditions of health. Having seen a good deal of what is called high society, I think it possible that the social requirements of a University town

may have worn a little upon his spirits. Once he mildly said to me that in "some respects Cambridge after dark does not greatly resemble the night life of Madrid."

On July 25, 1902, he gave me a hint of the great change that was to take place in his career when he wrote: "You will greatly add to my obligations if you will send to me one or more books giving the fullest and most trustworthy information about Siam. I want to find out about the climate, resources, government, etc. My mind is at present a blank on the subject, and a matter has come up which necessitates my securing some information about the country." Shortly after he told me that he had been approached through the Siamese Minister, then summering on the North Shore, in regard to the possibility of his entering the service of his Majesty's Government at Bangkok, in the capacity of General Adviser. A Belgian, Gustave Rolin-Jaequemyns, had recently died, after filling this difficult post with distinction. The King, wishing to take no step which might irritate either France or England, each closely watchful of the movements of the other in regard to that debatable ground, turned for suggestions and advice to the United States, then beginning to cut a larger figure in the world politics after the Spanish-American war and the possession of the Philippines. The only answer that Strobel could make to the tentative offer, reaching him through the powerful endorsement of John Hay, was to say with entire frankness that he had assumed serious responsibilities in regard to an Arizona mine, and that he could not honorably leave the country until this matter was settled in some fashion. So the affair drifted for a time. In August he wrote me that he fancied the Siamese were looking about for other possibilities. That Siam was determined to secure him was evident, for in September he was in Paris on the "King's business." "I shall be detained here until the last of next month," he writes me on September 22. "The people who wanted me to come here have some very important matters pending in which they have asked my assistance. I could not very well refuse. I shall use this as a reason for extending the date of my departure from the United States. That matter by the way has been thoroughly settled except that the engagement is for only two years instead of three. I am quite sure that I shall have had enough of it by that time.

. . . It is advisable that my appointment should not be published yet."

Writing on October 7, from the Légation de Siam, he says, "The Convention between Siam and France was signed this morning. This ends the most important business here. I hope therefore to be able to leave soon, although there is another matter pending which may detain me some time longer. It has been very interesting and important work. I have been under considerable strain and have been kept up late at night, so that I am really very tired." Just a week later he writes from London: "You may have seen by the papers that the negotiations in Paris were concluded by the signature of a Convention of the 7th instant. This Convention, in return for some sacrifices of territory on our part, settled favorably certain questions growing out of the events of 1893, which had since that time caused a peculiar strain in the relations between the two countries."

The news of Strobel's appointment was a well-kept secret, for not until March, 1903, was the fact made public. The usual comments as to the entrance of this country into far-Oriental diplomacy were freely made, and national pride, co-extensive with a vast ignorance as to the true significance of such an appointment, gave the press a fine opportunity for rhetorical display. He was given a leave of absence from the Law School for two years, and the chair he held was left vacant with the expectation that he might soon fill it again. He did not resign this position until the autumn of 1906, after he had agreed to remain in Siam for six more years on his return from his visit home. It is interesting to recall here that although President Eliot regretted to lose so valuable a man to Harvard University, he advised Strobel to accept the Siamese offer for "national reasons."

We cannot follow in detail his fruitful service in Siam. However interesting in international history and to Strobel, the full relation belongs elsewhere.

About a month before his departure for a visit to the United States Strobel received from the King a signal mark of royal favor, by the bestowal on him of the Grand Cross of the Order of the White Elephant. It was a resplendent ornament, and Strobel thought most highly of it. The Siam *Observer's* leading

editorial of November 17, 1905, explains the occasion of this tribute as follows:

Mr. Strobel is to be greatly congratulated on the distinguished honor which His Majesty has conferred upon him; and Americans are entitled to feel some special pride in the occasion. It is the highest honor which His Majesty could bestow, and it is memorable as a mark of Royal appreciation of signal services rendered by the General Adviser since his appointment. The first of these services was that of assisting in the final adjustment and conclusion of the Franco-Siamese Convention which has amongst other effects secured to Siam a welcome period of freedom from international worries — a period turned to good account in works of domestic legislation. We need only briefly recall such recent measures as those for the abolition of licensed gambling, the Law of Navigation in Siamese Waters, the Hackney Carriage Act, and other more or less important reforms; and the minor treaties dealing with matters of jurisdiction concluded with Denmark and Italy. In many directions Mr. Strobel has unquestionably worked hard and to good purpose, and has rendered to His Majesty's Government an amount of assistance of which His Majesty has now given the highest possible token of appreciation. It will be a matter of legitimate pride to Americans that their country has furnished to Siam a diplomatist and statesman whose ripe experience has been of such great service to this State.

There now comes a dark period in my friend's career — a period of which I have been able to gather but few details. Assuming that he left Bangkok as he had planned on December 21, Strobel was ardently expected to be present at a dinner of his Harvard classmates in Boston in February or March, 1906. The Secretary of the class, Mr. John F. Tyler, however, received no word in answer to a cable sent by him to Strobel in January. The first news from our mysteriously silent friend seems to have been a cable sent to his mother, dated February 1, 1906, as follows: "The doctor assures me that I am absolutely out of danger." He had probably sent or thought that he had sent an earlier message or else took it for granted that some notice of his illness would be seen in the papers.

It seems that he arrived in Cairo on January 10, 1906, and the following morning saw the pilgrims starting for Mecca. That afternoon a slight irritation was felt on his upper lip. The next day the lip was swollen and he had a slight chill. The

swelling soon extended over the whole face, and within the next week definite blood-poisoning set in, and three operations were performed on his face, with seemingly good results. But very soon practically all parts of his body were assailed with virulence, and his sufferings were intense. He remained in Dr. Milton's hospital for about ten weeks, and before he left Cairo the disease had attacked his back. He reached Boston much changed by feebleness and long confinement, but his mind was still alert and his eyes bright with courage and determination. In Boston he felt in his own home, for it was here that he often expressed a wish to settle down when his active days were over.

With considerable difficulty, and flanked by a small cohort of faithful classmates, he was driven to Cambridge on Commencement Day to receive the degree of Doctor of Laws. When he arose, as President Eliot named him for this honor, he appeared so wan and shrunken that those who had known him in health were shocked to see him. It was this occasion, deeply appreciated by him, who had already received many worldly honors, that really brought him to Boston and Cambridge. After the services at Sanders Theatre his indomitable will enabled him to get to his classroom, two flights up in Holworthy Hall. Many of his classmates, and especially the physicians among them, realized that they were probably greeting him for the last time.

He left New York on January 2, 1907, and arrived in Siam about the first of March, to find himself plunged at once into most exacting and important matters, ending with the conclusion of an important treaty with France, which may be regarded as the crowning event of Strobel's career; in his own words he was "entirely responsible for the treaty and [I] think it finally closes all questions with France."

While the news in regard to his improving health continued to be hopeful, the news came by cable from Mr. Westengard that he had died at 6.35 in the afternoon of January 15, 1908. The direct cause was uremic poisoning, and Strobel was fully aware of the seriousness of his case, retaining as he did full consciousness until very shortly before his death. The physician who was closest to him at this time, grandson of the

eminent Mrs. Leonowens, was willing to tell me that Strobel watched the progress of his illness with a cool, impersonal interest, though it is improbable that he realized the full significance of his condition. From another it was learned that he expressed regret that he must lay down his work when there was still so much to be done for Siam. But I have no disposition to enter fully into the privacy of a friend's last hours. It is enough to say that he was deeply mourned by all who ever knew him, and by none more sincerely than the Siamese, from the King down to the humblest person who ever came in contact with him. His remains were cremated in the presence of the King, February 5, 1909.

I select a few personal tributes, which show the man rather than his public character. First I choose a portion of the words written by one who loved him well, as only a teacher can love a cherished pupil. They were written for the *Boston Daily Transcript* by our late associate, Dr. William Everett. The affection here displayed was generously returned to his loved master, who not so much taught Strobel his Latin at Harvard as studied that language with him in enthusiastic comradeship:

> This notice is not meant to describe his work as a diplomat and a publicist. It was not for those that his friends loved him. A profound thoroughness in all his work, not that of the plodder but of the scholar, of the highest type of scholarship; an intellect so quick and open that he never needed to have anything explained twice and scarcely once; an imperturbable good nature under many provocations; a lively sense of humor that added a charming zest to all intercourse; gratitude, effusive, yet dignified, for the slightest kindness, all founded on an unshaken probity and sense of duty — it was for these we loved Edward Strobel. It is much, very much, that a son of America and Harvard should have won his way to be the confidential adviser of a Government separated from us by half the globe. It is no less that he left in our hearts a sweet glow of loving memory that exile could not dim, nor death extinguish.

Another member of this Society, objecting to that process of our national political life by which we continue, in our diplomacy, to get rid of a man as soon as he has proved his efficiency abroad, says: "It was a career that was in good part wasted, for he never obtained his due, and the diplomatic ex-

perience turned him out of the current in which men like —— obtained more than their due."

The late Edward Everett Hale, in writing to one of our associates at the time of Strobel's death, quotes some words of an American gentleman who has identified himself with the advance of Siam, and I venture to give here in part what was written:

I think it would be fair to say that never in the history of this country [Siam] has there been such universal sorrow at the death of a European. No man has made such lasting impression in Bangkok in such a short time. He was in Siam only four or five years at most, and no man has, to such an extent, won the regard and esteem of all classes — the King, the officials of the Siamese Government, the diplomatic corps, and the European business men. In his life and death, the King showed him most unusual honors, visiting him in person when he was ill, and conferring upon him the highest decorations ever bestowed upon a European in the service of the Siamese Government, and finally attending his funeral with his whole court. The King was, in very truth, the chief mourner. It grieved him sore to part with the man whom he loved with so much confidence.

It makes us thrill with patriotic pride to think that the foreigner of all others whom His Majesty delighted to honor was an American, and, more than this, that all classes and factions declared that he was worthy of these honors.

Mr. Strobel came to Siam to *serve* this country, not for the sake of what he could make out of the country. And this is true of nearly every American who has come here these last hundred years. Almost without exception they have come for *service* and not for *gain*. I may add that the Siamese Government has not been slow in noting this. I think it would be fair to say that America has done more for the progress of this nation than all the rest of the world put together.

Another side of his life is shown in the words of a devout Catholic, who, writing from the Via Sistina in Rome, says:

I shall be proud to remember him before the high altar in the Pantheon. What more fitting place to pray for the soul that was so pagan in its outward form and beliefs, but so profoundly Christian in its true life and expressions!

It seems wholly proper to say here that Strobel, though remaining outside of that communion, cherished a deep respect

for the authority and universal spirit of the Roman Catholic Church, and that he chafed at all intolerant remarks made against it. He felt too intensely, however, the littleness of man, in comparison with the incomprehensible vastness of the universe, to subscribe to any form of belief which undertook to solve the meaning and destiny of human existence. The few to whom he ever spoke of such matters will recall the deep humility with which he dwelt on the utter insignificance, as it seemed to him, of the dwellers on this small planet.

I add one more opinion to show him as he appeared to one — a woman — who knew him at his desk, his daily toil. "No words," she says, "can fully describe the charm of his talk, nor say why his low laugh was so good to hear, nor explain why even a commonplace experience, shared with him, became memorable and delightful."

Shortly after Strobel's death his classmates raised a sum amounting in all to more than $3000 to provide for some memorial in his honor; $2500, raised at a dinner of the class in New York a month after he died, was given to and accepted by the President and Fellows of Harvard College for the establishment of a fund for the use of the College Library and to be called the Edward Henry Strobel Fund. The income is to be used for the purchase of works relating to world politics and such kindred topics as the expansion of territory, colonization, settlement of differences between nations, and other cognate subjects, but not necessarily works on international law. Works on the Far Eastern problems and especially in Siam, where Strobel achieved his highest distinction, receive, according to the terms of the gift, the first consideration. A book-plate for volumes purchased from the fund, designed after the 1877 gate forming part of the enclosure of the College yard, was also provided out of this fund.

The provisions of the gift were drawn carefully in order that they might not conflict with another gift, presented to the College through the Hon. Jens I. Westengard, Strobel's successor as General Adviser to His Siamese Majesty's Government. This gift, amounting to about $2000, was raised by subscription in Siam, and the income is to be devoted to the purchase of recent books on Siam. This memorial enables the

Harvard Library to perpetuate the intention expressed to the Library authorities by Strobel to see that the cost of all books relating to Siam purchased by the Library should be met by him personally. A commemorative tablet, contributed also by his college class, has been placed over the entrance of the Library reading room of Langdell Hall in the Law School of Harvard University.

It remains only to say somewhat of his personal life and characteristics. He was of moderate height, but superbly well built — full-chested, with his head finely placed upon his neck. His complexion was rather swarthy; his eyes brown and full of expression and with a pensiveness characteristic of many Southerners. A firm chin curved in rather sharply to his firm, admirably cut lips, a straight and not large nose, and dark eyes, gave him an appearance resembling in the opinion of some of his friends that of Napoleon in earlier life.

He was not a man of enthusiasms: his intellect was cold and penetrating, not easily to be diverted from the point at issue. He had, however, high conceptions of friendship and a great loyalty to any one who had ever served or even known him. Friendship was to him a most solemn obligation that he never waived. Such fidelity always finds many only too ready to avail themselves of it. He preferred to be duped rather than to turn away any one who could ever have claimed acquaintance with him. But in the larger affairs of life he was neither to be deceived nor persuaded into any action contrary to what he believed to be right. He was modest and unassuming, but also astute. Without cynicism he was somewhat distrustful of the motives which control the majority of mankind. This distrust drove him back upon his chosen friends, in whom he always seemed to place a serene confidence. He believed that they were as loyal to him as he certainly was to them, nor was he often deceived in his trust.

Very early in life he had learned the invaluable art of discarding non-essentials. He would do nothing that he could hire some one else to do better. It was his exceeding good fortune to draw about him an indescribable loyalty. Men of his own type and degree would perform for him services that they would regard as menial were they expected by any one

but Strobel. One who had waited on his numerous wants during a troublesome illness complained that he had been made a slave of. "That is nothing," said another friend; "I have been his slave ever since I first knew him many years ago." But such humble offices were most cheerfully rendered, because there was always the certainty that Strobel held himself ready and always found occasion to make large return, though not of just the same kind.

A contributing cause to his success in the higher ranges of human endeavor was his freedom not only from sectional but from national prejudices. Had he been born some years earlier, he would undoubtedly have played his honorable part in the Confederacy, and, all ambitions and hopes destroyed by the issue of events, he would in all probability have expatriated himself after the manner, for instance, of the late Judah P. Benjamin. As it happened, he was born late enough to realize, without the sense of personal defeat, the full significance of a conflict the settlement of which by force of arms the South had herself sought. He was born a Southerner and remained loyal to the traditions of his birthplace, but the way was easily opened to become national. He was, it was said at the time he entered college, the first South Carolinian to enter Harvard after the war, and he found everything there to shape his mind in other than a sectional mould.

All this being so, it is the greater pity that the country of which he was a most loyal citizen could not have found continuous occupation for his remarkable ability in the field he was best fitted to occupy. He too was expatriated by a political method still too crude to retain the uninterrupted services of the ablest men as representatives abroad. Nor can it be fairly said that our loss was his gain, for his training all pointed toward higher achievements in diplomacy abroad in the interests of the United States.

He had elements of greatness — courage, persistence, the power of elimination of non-essentials, a ready grasp on the illuminating point. He was truthful, honest, simple. He commanded fidelity and confidence in his own ability. If he was somewhat lacking in the true radical's idealism and imaginative power, his character was buttressed by conservative upbringing and sound conclusions from ascertained fact. He

did not pretend to read the future by the stars, but found full employment in disentangling and rehabilitating some of the pressing questions of the day. His work in Siam fully shows that he was not without the instinct as well as the power of what we call greatness.

MAY MEETING.

THE stated meeting was held on Thursday, the 11th instant, at three o'clock, P. M.; the second Vice-President, Mr. WARREN, in the absence of the President, in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library since the last meeting.

The Cabinet-Keeper reported the following gifts:

From the *New York Times*, Russom's drawing of the late Charles Francis Adams, which appeared in that paper, March 26, 1916.

From Mr. Alfred Bowditch, six caricatures of British public characters, drawn by James Sayers or Sayer (1748–1823) and etched and published, April–July, 1782, by C. Bretherton. The persons represented are: Lords Amherst, North, Shelburne, and Sandwich; the Marquis of Rockingham and Colonel Barré — all connected with the history of America.

From Mr. Frank W. Bayley, three photographs: of Mrs. Sarah Savage, wife of Samuel Phillips Savage, from a portrait by Copley; of their son's wife, Mrs. Samuel Savage, from a portrait by Stuart; and of their granddaughter, Mrs. Lemuel Shaw, wife of the Chief-Justice, from a portrait by Francis Alexander.

From Mr. H. A. Gray, a Franklin medal, the very first of the series dated 1808, also twenty-five cent pieces of recent dates, and a Bahan store card.

From Mr. Frederick T. Widener, the medal of the Concord School, and the medal of Company B, Massachusetts Volunteer Militia.

From Mr. C. P. Bowditch, the Butler Richmond medal in pewter, 1864.

From the Bostonian Society, the Boston City medal, 1827, awarded to Almira Homer.

The Corresponding Secretary reported the receipt of a letter from Thomas Russell Sullivan accepting his election as a Resident Member of the Society.

The Editor reported the following gifts:

From Mr. Francis Reginald Bangs, the MS. Diaries of Benjamin and Isaac Bangs, of whom he writes: "Benjamin Bangs, according

to the record that I have of him,[1] was the fifth in descent from the original immigrant, Edward Bangs, and was born June 24, 1721, and died October 31, 1769. Isaac, his son, was born December 11, 1752, and died September 12, 1780, unmarried. Isaac graduated from Harvard College in 1771. He was my father's great-uncle. My father published the journal of Isaac in 1890; but the journal of Benjamin has, so far as I know, never been published. It seemed to me that those original documents were too valuable to be kept in private ownership, where they might be lost or scattered, and therefore I have decided to give them to your Society in memory of my father, who was a member of it."[2] There are four volumes of Benjamin Bangs' diary: I, January 1, 1742–43–May 31, 1749; II, July 16, 1759–July 13, 1761; III, July 14, 1761–June 23, 1763; and IV, June 24, 1763—December 4, 1765.

From Mr. Charles Moore, of Detroit, Mich., a diary of Abigail Livermore, wife of Rev. Elisha Scott Williams. She was born November 20, 1758, in Waltham, Mass., was married in her home August 30, 1780, and died July, 1818, in Boston, Mass. The town of Livermore, Me., was named for her father, and she and her husband went there as settlers, were converted, and he entered the Baptist ministry, serving for many years as pastor of the church in Beverly. He was a descendant of Governors Thomas Dudley, Simon Bradstreet and Rev. John Cotton. With the diary, which extends from 1809 to 1813, Mr. Moore gives a type-written copy, notes on Mr. and Mrs. Williams, and the military record of Rev. Mr. Williams.

From Miss Susanna Willard, a MS. catalogue of the library of her father, Joseph Willard.

Francis Apthorp Foster, of Edgartown, was elected a Resident Member of the Society; and Charles Downer Hazen, of Washington, D. C., a Corresponding Member.

Announcement was made of the appointment of the following Committees:

House Committee: GRENVILLE H. NORCROSS, J. COLLINS WARREN, and WORTHINGTON C. FORD.

Finance Committee: HENRY CABOT LODGE, GRENVILLE H. NORCROSS, and CHARLES P. GREENOUGH.

Committee to Publish the Proceedings: HENRY CABOT LODGE, JAMES FORD RHODES, and EDWARD STANWOOD.

It was voted that the income of the Massachusetts Historical

[1] A copy has been placed in the Society by Mr. Bangs.

[2] Edward Bangs (1825–1894) was elected a member of this Society, June 11, 1884. A memoir of him will be found in 2 *Proceedings*, X. 311.

Trust Fund for the financial year be retained in the treasury, to be expended in such objects as may seem desirable to the Council of the Society.

Mr. WARREN then read the following paper on

CONTEMPORANEOUS OPINION.

In reading the recently published autobiography of our late President, Charles Francis Adams — as interesting a work as in many respects it certainly is extraordinary — we are reminded, by that part of it which treats of his experiences in Washington just before and after the inauguration of Lincoln, and of his opportunities for listening to the conversation and speeches of such men as Secretary Seward, Senators Sumner, Crittenden, Fessenden, and others (including his own distinguished father), of the old question as to the reliability and value of contemporaneous opinion of men and events.

Mr. Adams is characteristically sweeping in his view of the opinions and attitude of the men he met. We are not now so much concerned with the exactness of his statements as we are with the evidence furnished elsewhere of the statements and conclusions of the eminent statesmen referred to and of others of that period. It is clear enough now that none of the statesmen of the time before the Civil War really grasped the situation or sized up correctly the actions and purposes of the leading men in the opposing sections of the country.

The evident doubt and indecision of the winter of 1861, the futile talk of compromises of a matter that it was then too late to compromise, the hesitation as to the use of force even after the change of Administration, the confusion of thought and narrowness of vision of men of all parties — show plainly enough that up to that time public opinion had not clarified, and that the opinions of our ablest men were extremely fallible.

Mr. Adams suggests that our leaders were more concerned with discussing the abstract question of the technical right of secession than they were of taking practical steps to suppress what was really a revolution. There is some ground for his conclusion; but however that may be, there is plenty of proof that the statesmen of the North failed then to appreciate the

earnestness and intensity of view of the Southern leaders, and those of the South were equally unaware of the strong Union feeling of the North and of its determination to preserve the Union unbroken. Undoubtedly, apart from all this, there remained the slavery question, but at the outset of the Civil War it can hardly be maintained that that was the determining factor, at least at the North. While a considerable body North and South based their whole thought and action upon that question of slavery, the country as a whole had not yet consolidated its opinion upon the subject so far as it related to the war — the main question being then the preservation or destruction of the Union.

If we seek contemporaneous opinion therefore at that early state, we find it confused and misleading, and a sound historical judgment upon men and events has to be made up from the light thrown upon them by the later development of facts, and by more exact knowledge as to the part played by individual actors.

In other words, while we get something from the views expressed by prominent men of the day, we find that as a whole their judgments were inclined to be hasty and incorrect, and that they were not borne out by the test of later knowledge.

Considering that period alone, we can attach comparatively little importance to the opinions of contemporary actors or writers; though they are not to be entirely disregarded, for with all their narrowness and disagreement there is a stratum of truth in their conclusions, and we find that later history in its estimate of the principal actors of the period confirms to a degree contemporaneous opinions, and in some cases not only agrees to, but emphasizes them.

Napoleon in one of his glittering generalizations said that "History was a pack of lies that had been agreed upon" — the general view has been the other way if anything, that it was more nearly a pack of lies that had not been agreed upon — but if there is a grain of truth in the first statement it gains whatever force it has from history that has been made up of contemporaneous opinion unconfirmed by later and more exhaustive study. I do not know of any more noteworthy example than that of Napoleon himself, for history after the lapse of a hundred years and a deluge of books upon the sub-

ject has not yet accepted or thoroughly digested the lies or the truths of his meteoric career. John C. Ropes, the student of Napoleon, said to me, a few weeks before his death, that, notwithstanding the countless lives of Napoleon, his real history was yet to be written.

If that statement holds true, one may well despair of getting at the truth of history from contemporaneous sources, even when fortified by a vast array of later facts.

The comparatively short history of our own country gives us interesting and rather striking instances, not only of the fallibility of contemporaneous judgment, but also in individual cases of its general correctness. I do not mean by "contemporaneous judgment" the mere clamor of the multitude at any particular period, but the deliberate judgment so far as it can be ascertained of the majority of thoughtful men.

The discussion still rages whether the contemporaneous opinions of our Puritan ancestors regarding Roger Williams, Anne Hutchinson, and the Quaker element were correct or not under the conditions that confronted the early settlers. Until recently the contemporaneous opinion of Governor Hutchinson of pre-Revolutionary character remained practically undisturbed, but to-day that opinion seems to be completely reversed. If I read modern history aright, though nothing too severe or denunciatory could be said of Hutchinson in his lifetime, now the predominant view of him is that upon the whole he was an upright, able, and patriotic man, mistaken in his political ideas, but striving for what he considered the best interest of his own country.

Consider the men foremost in the American Revolution. Washington — an exception to all rules — was apparently estimated by his contemporaries upon much the same basis as in later times, the only change being that reverence and admiration for him have increased. The same in a less degree seems true of Franklin; but if in these marked instances contemporaneous opinion seems more than justified, can the same be said of Hamilton, Adams, and Jefferson? Of the two former it may be said that in large measure it does, but that the contemporaneous opinion was not so clear and positive as that of a later day, and that the modern public estimate of their surpassing abilities and force of character is not so much different

from that of their contemporaries as it is higher and more decided.

Of Jefferson, however, there has been a complete reversal of judgment — not so much as to the opinion generally held of him during the Revolution, as of that after the war, when political feeling ran high and partisanship had grown bitter. Popular as Jefferson then was with the masses, no man was ever more subject to detraction and abuse than he, and it is not too much to say that in his time by the great majority of the thoughtful men of the country he was considered a wily demagogue who was using his acknowledged ability to very little honest or useful purpose. One reads with a smile the fierce invectives and attacks upon him by the wisest and purest statesmen and writers of the day; for time in his case has worked wonders and he is now extolled in history and praised by nearly all writers as one of our ablest, greatest, and sincerest patriots. I do not know in our history of any more notable change of view.

If we had time to discuss it here, we should find, I think, that what is true of the men of the Revolution is equally true as to the change of view in modern times regarding the real causes of that war, and the influence of its success upon the world at large.

Daniel Webster's paragraph, in which he said "America fought seven years for a preamble," has been often quoted, and until recently with general approval; but modern opinion does not accept that view, and though it may tend to lower ideals, maintains that preambles and theories as to taxation without representation, or as to oppressive taxation, etc., were in reality mere pretexts for a revolution that had its real foundation in the desire for complete liberty, and the growing feeling that, as the Thirteen Colonies had for a century or more practically managed their own affairs, they were strong enough and able enough to do without the guidance of the mother country. Not that the leaders did not believe in the reality of the pretexts, but they were, after all, things to conjure with, while the masses who worked and fought were influenced by less subtle motives, and were inspired, whether they recognized it or not, by the belief in their own manhood and in their inherent right to freedom and independence.

Nor was the contemporaneous view of American or foreign statesmen as to the result of the war the same as that of after years. No one at the time foresaw the rising of this vast empire or realized the profound influence to be exerted upon Europe by the successful assertion here of the principles of popular government.

As throwing light upon the value of contemporaneous opinion, we may well consider the history of a few of our public men — some of them Presidents of the United States, men concerning whom the public judgment clearly crystallized at the time, and over whom heated controversy has since raged.

To Jefferson we have already referred. Turn now to that prominent and active figure in our history, Andrew Jackson. Certainly over him, in his own time and for long after, the fiercest controversy existed. Like Jefferson, he was the idol of the masses, but like him also, among thoughtful men, particularly in New England, he was regarded as headstrong, unprincipled, and dangerous. Yet that does not appear the verdict of history, for time has so far softened the asperity of political conflict and the prejudices of the day that he is now generally accepted as an able, forcible, patriotic man, whose disagreeable and unattractive qualities may be overlooked in the recognition of his real service to his country.

Or, coming down a few years, recall the contemporaneous opinion of Daniel Webster after his famous 7th of March speech. It is within the memory of many now living — how much bitterness that speech evoked, and how suddenly he was cast down from his high pedestal of popularity and denounced as a traitor to the moral judgment of the people.

Yet time has quickly reversed that judgment as hasty and ill considered; Webster's patriotic purpose and devotion to the Union of the States have been recognized by many who condemned him, and a grateful people have come to a realizing sense that to Webster more than to any other man the country was indebted for that intense Union feeling that did so much to sustain the North in the long civil conflict. The modern judgment of Webster is more nearly that of his contemporaries before the 7th of March, without, of course, the marked personal adoration. The clear resemblance between the principles of the speech of March, 1850, and the declaration of Abraham

Lincoln that his duty was to restore the Union with or without slavery, has been noted by many writers, and it has been urged that Daniel Webster's speeches had great influence in moulding the views of Lincoln.

If we accept Adams' account of the doubt and uncertainty existing in the early part of Lincoln's administration — and there is other abundant evidence to confirm it — we may well hesitate to adopt to the full the contemporaneous opinion of that much blamed and much criticised President, James Buchanan. The indictment of his weakness and vacillation is a formidable one, but later facts have disclosed more fully the enormous difficulties of the situation, the perplexity of the people, and the painful disagreement among our wisest men as to the proper course that should be pursued.

Perhaps at this distant day the mantle of charity can be dropped over a man advanced in years, suddenly called upon to face a dire catastrophe, betrayed by his former advisers, and uncertain where to turn for counsel or support. The opinion of his time as to Buchanan may be clearly right, but he is a bold man who can with confidence assert that the verdict of history has yet been finally rendered.

The caution as to too positive assertion of the verdict of history in Buchanan's case is doubly strengthened if we recall, however unwillingly, contemporaneous opinions of Lincoln before the Emancipation Proclamation. His popularity was great, but many now remember how severely he was criticised by a portion of the ablest and wisest men of his own political party, and how vehement was the opposition of some of them to his renomination. Even of the great speech at Gettysburg it may truly be said that there was not instant appreciation of its eloquence and beauty. Though contemporaneous opinion did acclaim Lincoln as a great leader, it was somewhat at fault in its estimate, for not until after his death was the grandeur of his character fully understood and appreciated.

We turn from the impressive figure of Abraham Lincoln to the uninspiring character of his successor, Andrew Johnson; yet even he illustrates to a degree the subject we are considering, for public opinion of him in his day was clearly formed, and few men have been the object of such virulent contemporaneous criticism and abuse. Has the judgment of the time

in his case been confirmed by later opinion? I hardly think it has to the full extent. It is now universally conceded by competent authorities that the impeachment proceedings were upon the flimsiest of legal pretexts and the result of hostile political scheming. The diary of Johnson's Secretary of the Navy, Gideon Welles, published within a few years, has presented a picture of Johnson so different from the previously accepted view that it has had undoubted effect in to some extent rehabilitating him in the public estimate. I am inclined to think that to-day's judgment of Johnson is not that of his contemporaries, and that he is now generally regarded as a man who was honest and sincere, and who honestly strove to benefit his country, but that unfortunately he was the victim of his own narrowmindedness, obstinacy, and lack of political tact and experience.

Of the later Presidents it is too early yet to form a sure estimate, although it appears probable that of those deceased, the reputation of only one or two has remained as high as the contemporaneous estimate.

Of the prominent statesmen of our country, such as Calhoun, Clay, Seward, Crittenden, Douglas, Sumner, and others that could be named, while time does not allow in a paper like this of detailed discussion, my general conclusion would be that, possibly with the exception of Calhoun, no one of them is estimated to-day as highly as he was by his contemporaries.

The same may be said of a number of English statesmen who in their day were considered great men. The modern estimate of most of them is not as high as that of their contemporaries, although of some, such as Cromwell, William III, Burke, Chatham, and Charles James Fox, it may be said that they have a higher rank as statesmen now, than during their lives.

One class I omit entirely, because it seems pretty clear that contemporaneous opinion in their case has remained practically unshaken — that is, great military leaders. Probably the conspicuousness of their careers or the fact that success or failure was determined in their lifetime led to a clearer contemporary judgment. While opinions differ as to their comparative merits and their moral characters, it appears to be true that military men of the first rank who were considered great

by their contemporaries have almost invariably held their positions in the view of later generations.

That can hardly be said of those who in their time were considered great poets, novelists, or writers. While some of them have held their own, or even increased their reputations, the fashion or taste of later generations has worked havoc with the contemporaneous opinion of the greater number.

I have recalled to your minds these few typical cases, mostly from our own country because more readily recognized, as a sort of test of the question whether or not any general rule can be found. From these examples and others that may readily occur to you, can any conclusion be drawn? I fancy there can be, and that it can pretty safely be said that contemporaneous opinion of really great men — men whose fame is permanent enough to reach down through later generations — has been found to be substantially correct, leaning rather to an under- than an over-estimate, but when we come to a lower standard of greatness that the opinion of the times as to men eminent in their own day and generation, but not to be classed as the world's great leaders, is unreliable and has not unfrequently to be reversed.

The exceptions seem to be with men who in their day achieved a high degree of *un*popularity, but who made their mark by their ability and force of character. Contemporaneous opinion in their cases — unless the men were conspicuously bad or corrupt — appears to be utterly untrustworthy. For many who were the subject of temporary prejudice or dislike have survived the storm of contemporaneous detraction and abuse, and by their nobler qualities won, if not the approval of later times, at least a more charitable consideration. These cases are so frequent as almost to establish a general rule.

In so short a paper as this I cannot pretend to a thorough discussion of the subject. It is a most interesting study, and I have no ground for quarrel if the views I express fail to carry conviction; realizing, as I must, that generalizing upon such a subject is a hazardous undertaking, and lays one open to the charge that too few instances have been considered to permit of safe conclusions.

INSTITUTE OF HISTORICAL RESEARCH

The Sale of Matchebiguatus, 1644.

Mr. Lord exhibited a manuscript signed by Edward Winslow and said:

At the March meeting of this Society in 1878,[1] the President, Mr. Robert C. Winthrop, communicated an original letter of Edward Winslow, the Pilgrim Governor, addressed to

Mr. Bradford, Mr. Prence, and the rest of our ancient partners:

After divers and sundry treaties with Mounsier Latour and sundry the gentlemen of Boston concerning our loss and wrong at Machebiguatus by Mounsier D'Alney, this last of the month, and last of the week at afternoon, I have made over our right and title to the Fort there, &c., to John Winthrop, Junior, Esq., Capt. Major Edward Gibbons and Capt. Thomas Hawkins, of Boston, their heirs, associates and assigns. And because I cannot stay to perfect the things, Mr. Winthrop, Junr. is bound to me on the behalf of the rest, that if Mounsier Latour shall not pay unto me to your and my [*illegible*] use, the sum of two hundred pounds sterling upon the taking of the said Fort, at the house of Valentine Hill, merchant of Boston, if so much goods be in it, or if not, in one or two years after the taking of the same, in beaver or moose skins, and give not bond obligatory for that end forthwith, that then the said deed by me made to be void and of none effect, or else to stand in full power, force, and virtue.

Now the thing desired by them and me is that yourselves, the rest of the partners therein, will be pleased to manifest your consent by some joynt writing herewith. Thus having nothing more to write thereabout take leave and remain

Yours as his own,
Edw. Winslow.

Cambridge, this last of Aug., 1644.

The editors' note explains that "The 'loss and wrong' which the Plymouth people sustained by D'Aulney occurred at their fort, in what is now Castine, on the Penobscot River, in 1635," and cites as references for a full account of the event Bradford's *History*, Winthrop's *History*, and Wheeler's *History of Castine* In that note the editors further say: "We find no reference, either in Bradford or Winthrop, to the settlement effected by Winslow, as described in this letter."

[1] 1 *Proceedings*, xvi. 111.

I submit to-day for examination, and for publication in our *Proceedings*, the original instrument, signed by Edward Winslow as present Governor of Plymouth, to John Winthrop, Jr., Sergeant Major Edward Gibbons, and Captain Thomas Hawkins, of Boston, the three persons named in the letter. This original document in the handwriting of Edward Winslow, and bearing his signature and seal, was recently presented to the Pilgrim Society by Mr. Theodore P. Adams, and reads as follows:

Whereas about ten yeares since Mouns'r D'Aulney under a pretence or color of Commerce did violently and injuriously take a possession out of the Hands and custody of the Agent and servts of Edward Winslow William Bradford Thomas Prence and other their partners at Matchebiguatus in Penobscot together with divers and sundry goods to their great losse, even to the valew of five hundred pounds or thereabout. And forasmuch as no satisfaccon hath ever been made and tendred by the sd Mouns'r D'Aulney for the sd possession or goods or by any his Agents The sd Edw Winslow for himselfe and partners hath and doth by these presents fully surrender and make over his and their p[art] I[nterest?] right and title not onely to the said possession of lands in Matchebiguatus aforesaid but to their Fortificacon howsing losse and damages rights and priviledges thereunto belonging to Joh. Winthrop junior Esqr Serjant Major Edw. Gibbons, and Capt. Thomas Hawkins all of Boston in New Engl. to them their heires Associates and Assignes for ever. Allowing and investing them with all such lawfull power by force of Arms or otherwise to recover the said Possession Fortificacon howsing lands goods etc. to them the said Edw. William, Thomas, and other their partners at Machebiguatus aforesaid appertayning. And the same to have and to hold ocupy and enjoy to them the said Joh. Winthrop [junior] Esq. Serjant Major Edw. Gibbons and Captaine Thomas Hawkins their heires Associates and Assignes for ever together with all such priviledges as appertayneth thereunto. In witnes whereof the said Edward Winslow hath put to his hand and seale the last of August 1644

Per me EDW: WINSLOW *Gov'r at present*
(*Seal*) of *New Plym.*

Witnesses hereunto
HERBERT PELHAM
JOHN BROWNE

The trading settlement at Penobscot was on a peninsula, later known as Matchebiguatus, or by contraction Bagaduce

Point, at the mouth of the Penobscot, and in 1631, upon the death of Ashley and the discharge of Allerton, this trading post became wholly at the disposal of the Pilgrims.

In 1635 D'Aulney came into the harbor of Penobscot and took possession of the trading house in the name of the King of France, and compelled Mr. Willett, the agent of the Pilgrim company there, to approve of the sale of its goods to him, but made no payment for them, as Bradford states: "For the house and fortification, etc. he would not alow nor accounte anything, saing that they which build on another mans ground doe forfite the same."[1]

Willett returned to Plymouth, reported the incident of the robbery of its goods by the French, involving a loss to the Colony of five hundred pounds, whereupon the Plymouth company, after conference with the Massachusetts Bay Company, hired a ship of three hundred tons, well fitted with ordnance, and agreed with the master that in consideration of 700 pounds of beaver he was to surprise and drive out the French, and put the Plymouth men in full possession of the trading house and goods.

With Captain Girling, the master of the ship, they sent their own bark and some twenty men with Captain Standish, to aid him if necessary, and then if the house was recaptured to pay him the beaver, which they prudently kept aboard their own bark.

The attack failed by the mismanagement of Captain Girling, and his powder having been exhausted he sent Captain Standish to the next plantation to procure more powder. Standish, learning that Girling's plan was to seize on the bark and surprise the beaver, sent the powder to Girling and returned to Plymouth with his bark and beaver. Girling did not renew his assault, "but went his way; and this was the end of this business."[2]

In the nine years that followed the Plymouth Company was unable, unaided by the Massachusetts Bay Company, to recover the trading post or secure any redress, and finally in 1644 conveyed, by the instrument signed by Winslow, its title to the property and its claims for damages to Winthrop,

[1] Bradford, *History* (ed. 1912), II. 207.
[2] *Ib.*, 211.

Gibbons, and Hawkins for two hundred pounds, a somewhat pitiful return for their substantial losses.

Mr. Ford in his note says that:

> In August, 1644, Winslow went to Boston and there held "divers and sundry treaties with Monsieur Latour and sundry the gentlemen of Boston," concerning the loss and wrong committed by Aulnay in taking the Plymouth fort at Penobscot. The resulting agreement is not clearly expressed in Winslow's letter, printed in *Mass. Hist. Soc. Proceedings*, XVI. 111, but the terms of the "deed," as given in the note on pp. 220–221 of the second volume of Savage's *Winthrop*, are illuminative.[1]

Mr. Savage in his note [2] refers to a "curious document given me by the late Judge Davis," which document he sets out in the note in full, and is the instrument signed by Winslow, which is here submitted. When this document was first called to my attention it was in an envelope with a copy of the paper in the handwriting of Mr. Savage.

In the instrument as published in Savage's note a singular and obvious error appears. This instrument as printed in the note begins with the recital "Whereas about two years since." It should read *ten* instead of *two*, as appears by an inspection of the original; and moreover the event referred to was the capture by D'Aulnay of the Penobscot trading post, which occurred in 1635, and not about two years prior to the date of the instrument, which is August 1, 1644.

The whole story of the loss by the Plymouth company of their fort on the Penobscot and their negotiations with the Massachusetts Bay Company for its return, is so fully told in the texts of Winthrop and Bradford, and in Mr. Ford's notes, that a more extended account is unnecessary here. The seal on the instrument used by Winslow is also worthy of passing notice. The design is that of a pelican feeding its young, which appears to have been the seal used by Winslow while in this country.[3]

[1] Bradford, *History*, II. 208.

[2] Winthrop, II. 220.

[3] Morton, *New England's Memorial* (Davis ed.), 468, 481; 4 *Mass. Hist. Collections*, VI. plate 11; 1 *Proceedings*, I. 1 *n*, 284 *n*.

Mr. MURDOCK read the following paper on

HISTORIC DOUBTS ON THE BATTLE OF LEXINGTON.

On the 2d of September, 1824, Lafayette was a visitor in Concord, and the Hon. Samuel Hoar took occasion to remind him in a public address that he stood upon the spot where "the first forcible resistance" was made to the British arms. This simple assertion proved in a measure epoch making. A half century had passed since the great events to which Mr. Hoar referred, but his claim for Concord roused a storm of protest in Lexington. A bitter controversy ensued, and local pride and local historians were stirred to an extent that imperilled historic truth. The town of Lexington took official cognizance of the Concord claim, and Elias Phinney, Esq., was charged with the task of demonstrating to all impartial minds that it was at Lexington and not at Concord that the embattled farmer fired that far-echoing shot that heralded American independence. To assist Phinney in his work depositions were extracted from ten aged citizens of Lexington, some of whom fifty years before had attended that early morning roll-call on the Common. Those venerable men, who in 1775 had been anxious to prove the peaceful intent and behavior of the minutemen, were now summoned to lend color to quite a contradictory theory. The Hon. Edward Everett, who delivered the oration at Concord on the fiftieth anniversary of the battle, was placed in a delicate position, and disclaimed any intention of pronouncing "on questions in controversy." Phinney's pamphlet on the battle appeared in 1825. Concord had old men of her own, and they were summoned into the lists to support contentions put forth by the Rev. Ezra Ripley, who published his anti-Lexington tract in 1827. The whole dispute seems strangely trivial to us now. It is hard to account for the time and ink that were wasted in the fruitless controversy, the recriminations and bitterness of spirit that involved the clergy of neighboring towns, the wild straining at historical gnats and the wholesale swallowing of legendary camels, and all because of the phrasing of one sentence by the Hon. Samuel Hoar. Lexington had not always been as sensitive as she was in 1824.[1]

[1] The *Memoirs of Major-General William Heath* made their appearance in 1798 and contained an account of the 19th of April that was entirely in har-

No one in Concord had impugned the valor of her minutemen, and it was as clear then as it is now that Captain Parker's company did their full duty on the 19th of April, 1775, and that in a crisis when courage and resolution were animating the hearts of thousands of Massachusetts men they well deserve the title of the bravest of the brave.

Two results of this controversy are worth noting: the first, a development of local interest and enthusiasm in the subject that remains unimpaired as bitterness has waned; the second, the accumulation of a mass of questionable evidence that in exaggerated forms has gradually become accepted as history. It was certainly a keen revival of interest that started Phinney on his task, and every one of sufficient years in Lexington must have racked his brains for some memory of the great day. In 1863 the poet Longfellow became inspired with the subject, and in glorifying Paul Revere innocently robbed William Dawes and Dr. Prescott of well-earned honors. "Tradition, legend, tune, and song" all played their part in the reconstruction of the Lexington story, until the schoolboy of my generation, however dull in history, knew for facts that Revere rode into Concord before dawn with news that the regulars were out, and that Major Pitcairn stirred his whiskey in the Concord Tavern with blood-curdling threats that would have done credit to a pirate king.

The new evidence based on memories of fifty years ago served no good historical end. We know that old men forget. We know too that they sometimes chatter glibly of events that never happened, or, as Shakespeare has it, "they remember with advantages." Is it too much to say that the depositions of 1824, whether taken in Concord or Lexington, must be regarded in a different light from those of 1775, and that in them it is hard to sift the wheat from the chaff or to weigh the probabilities as to truth or error? To my mind material of this sort should be reserved for appendices and illustrative notes and not included in the body of an historical work. Bancroft thought otherwise, and successive historians have been of his opinion.

By way of illustrating what I have said concerning the evolution of the Lexington story let me have recourse to a

mony with the claim of Mr. Hoar. Moreover, the Lexington company came in for a word of criticism that will be found quoted in a subsequent note.

recent edition of Hudson's *History*, published by the historical society of that town. This is embellished with four views of the battle of Lexington — three reproduced from rare prints, the fourth from Sandham's painting, which is the property of the society and hangs in the Town Hall. The earliest print to be reproduced is that of Doolittle, engraved in the fall of 1775, and it is to be noted that Pendleton, Billings, and Sandham all portray the scene from the same spot, giving the same landscape that Doolittle depicted. You know the story of this Doolittle print, now so rare as to torment the dreams of collectors: how Doolittle and Earl came up to the Boston siege in a Connecticut regiment; how in the summer they gained permission to visit Lexington and Concord; how Earl sketched the scenes and invested them with the military episodes of the day, and how Doolittle engraved the sketches and offered them for sale at James Lockwood's store, near the College in New Haven. Crude in draughtsmanship and engraving they yet form a series of inestimable historical value. The work of provincial artists serving in Washington's army, they give us in pictorial form the story of Lexington and Concord as it was accepted in the American camp. If you will examine the faithful reproduction of the Doolittle print in the book I have mentioned, you will notice that the British are firing by platoons and that the Lexington company is dispersing in all directions. Even the magnifying glass fails to reveal any member of that company in an attitude of resistance; no suggestion of a return fire or even of loading. One wonders why the title was not engraved the massacre instead of the battle of Lexington. Evidently our Connecticut soldiers felt that the facts of the case or political expediency justified such a treatment of the subject. Let me call your attention further to the fact that our reproduction of the Doolittle print is not from the original of 1775, but from the reduced replica which Doolittle executed in 1832 for Barber's *History of New Haven*. There could have been no political considerations to influence him at that time. Lexington was then stoutly asserting the belligerency of her minutemen, and yet Doolittle varied in no detail from his conception of nearly sixty years before. It is still a massacre, perpetrated upon armed but unresisting men.

The next picture to be noted in chronological order is Pen-

dleton's lithograph after Doolittle, executed about 1830. Pendleton had evidently given heed to the current controversy and to the Lexington depositions of 1824. The British are firing, the minutemen are dispersing as Doolittle portrayed them, but eight devoted souls are still facing their enemies, six of whom are returning the British fire while two are loading. This is the picture which stirred the ire of Lemuel Shattuck of Concord as a misrepresentation calculated to perpetuate error.[1]

When we come to the Billings sketch, executed a quarter of a century later and which was used to adorn the first edition of Hudson's *Lexington* in 1868, we find the dispersing confined to the extreme left of the line, while the firing has been extended to a round dozen or more. The Sandham painting of 1886 throws off all restraint and departs definitely from the Doolittle idea. Here at last is a battle indeed. Where in Sandham's spirited work is there any sign of wavering, any suggestion of dispersing? The line holds firm from end to end, while, unterrified by the running blaze of British musketry and the sight of stricken comrades, the minutemen stand grimly to their work, emptying their firelocks at close range into that broad and glittering target that is offered by the Light Infantry. Is this a true picture of what occurred on Lexington Common, or does it violate the truth beyond the limits of poetical license? I shall have occasion to refer to this picture again, but for the moment I leave this query with you as suggesting the basis for an historic doubt.

Sir George Trevelyan, in commenting upon Concord and Lexington, says: that "pages and pages have been written about the history of each ten minutes in that day, and the name of every colonist who played a part is a household word in America." He might have added that the result of this vast torrent of words that has accumulated since 1825 has been to obscure simple historical facts commonly accepted before that time,

[1] Shattuck's comment contained in the appendix to his *History of Concord*, published in 1835, is as follows: "A new lithographic edition of Doolittle's Historical Engraving, first published in 1775, also appeared. In the original no one is represented as firing at the British soldiers at Lexington, but several as dispersing and some as slain. As this would be rather an awkward presentation of *a battle*, the editors, as is sometimes the practice of historians, thought fit to improve the original to suit their views of what the engagement should have been. From this picture woodcuts have been prepared, which appear in some school books to perpetuate error."

and to create a tale that does not impress one as founded upon human nature. It is natural and right that the names of colonists who espoused the popular cause should be cherished in American households, but it is a pity that after the lapse of nearly a century and a half other conscientious colonists of different ways of thinking should still be regarded as traitors and dishonest persons. The actors at Lexington and in the preceding events have become segregated into two groups — in the one the heroes, in the other the villains. It has been the tendency to portray our patriot ancestors as patient, long-suffering men of God who, free from the selfishness and greed of our erring species, adored liberty and justice and yearned to lay down their lives in their defence. This theory has been persisted in for several generations, although Washington in his correspondence has furnished us with some very substantial evidence to the contrary. I am not sure that it is a kind thing to cast ancestors in such parts. They do not suggest the flesh and blood of a few generations since, and as they pose pompously in statuesque attitudes and utter heroics of evident modern origin, they fail to convince, and one is conscious of the dawning in his mind of an historic doubt. And then the villains! They are the real villains of the golden age of melodrama. There is Hutchinson, secretly forging the shackles of slavery for his honest neighbors, abetted by the malice of remorseless placemen; Ruggles, urging his wicked scheme to oppose by force "the peaceful picketing" of disinterested patriots; and then there are the villains in scarlet, drunken minions of a king thirsting for innocent blood. There is the hint of real flesh and blood here that we miss among the heroes and yet to some of us the question will arise, Were these men really all so bad? If some of the heroes had cursed, or if a villain or two could have uttered a repentant prayer, the whole pageant would have seemed more probable. As it is, we turn from the scene, carrying with us a sense of misgiving that is akin to doubt.

Lest I be accused of exaggeration let me quote a characteristic passage from Hudson's *History of Lexington*, in which he apostrophizes old Middlesex as the Monumental county: "The towering obelisk on Bunker Hill which looks down in an awful frown upon British vandalism, and in pious veneration upon

American valor; the modest shaft at West Cambridge, which bespeaks alike the barbarity of the retreating foe and the heroic gathering of the friends of freedom, ready to do and suffer in her cause; the humble monument at Lexington proclaiming the undaunted firmness of the minutemen and the cowardly spirit of the invaders of their rights," etc., etc. Mark how rigidly the line is drawn: on the one hand piety, valor, undaunted firmness, and the readiness to do and suffer; on the other vandalism, barbarity, and cowardice. Hudson wrote in 1868, and the sentiments he uttered have not become extinct. You will find them still, particularly in local histories and in books designed for youth.

It has seemed to me that our revolutionary drama would be more fairly and clearly presented if we recognized that Massachusetts was divided against itself on the great issues of the day, and if the Loyalist element were given some speaking part upon the stage. While their cause and contentions have not been altogether ignored, they have been treated with scant courtesy, and their views and influence have never been properly compounded with the general mass of historical matter upon which our revolutionary story is based. The Loyalists of Massachusetts had just as good New England blood in their veins as James Otis or Dr. Warren, and whoever reads the scholarly pages of Hutchinson's history can hardly fail to recognize that the detested Governor was quite as much a lover of his native land as either John Hancock or Samuel Adams. The Loyalists were not all brave or unselfish men. Like their enemies they were compounded of good and evil, but they included in their numbers many of the most distinguished men in Massachusetts, who but for the evil days upon which they fell would have gone down in history as favorite sons. Some of them contributed incidents to our annals that might well have been recorded and remembered with pride. The story of Paul Revere as imagined by Mr. Longfellow stirs the most sluggish blood, and half the world knows it by heart. I can recall another episode that has to do with American grit and courage, but it concerns Colonel Saltonstall, of Haverhill, and has never been embalmed in verse.[1]

[1] Brief mention of Colonel Richard Saltonstall's encounter with the mob in 1774 will be found in 2 *Collections*, IV. 164.

Let me say at the outset that I am in possession of no evidence regarding my subject that has not been accessible to historians for years. It is not my purpose to laud villains or to depreciate heroes, but as all the actors who played their part at Lexington were Englishmen and professed loyalty to the British King, I shall discuss the episode as belonging as much to English as to American history. The Tory and the Redcoat will be given a fair hearing on the stand. The third volume of Hutchinson's *History* will be treated with as much respect as letters and speeches by any member of the Adams family. I shall assume that the Drapers published as honest a newspaper as Edes and Gill, that an official report by Gage stands in the same category as a proclamation by the Provincial Congress, and that a letter written by a British officer to relatives or friends at home is as reliable evidence as a patriot deposition that bears a score of signatures. With this declaration of my purpose let us review together some of the political transactions that occurred in Boston during the ten years that preceded 1775. I shall touch briefly upon those events with particular reference to their influence upon the temper and discipline of the King's troops, deeming them more or less essential to an understanding of the encounter that stained Lexington Common with blood nearly a century and a half ago.

It was in 1765, as a result of the Stamp Tax agitation that Hutchinson's beautiful house in the North End was destroyed by an infuricated and drunken mob, and with it that noble library teeming with treasures of Massachusetts' historic past. A mass meeting at Fanueil Hall condemned the outrage, but when suspected offenders were lodged in jail they were promptly released by a more orderly but equally determined mob. When the Assembly convened it was clear that the members were swayed by other considerations than those of simple justice. The claims of Hutchinson and other sufferers for compensation for losses sustained in the riots were laid over for one session and then voted only upon consideration that free pardon and an immunity from prosecution should be extended to the rioters themselves. It was this attitude of the Assembly as representing the constituencies of the Province, together with renewed disturbances, that brought the 14th and 29th regi-

ments to Boston in 1768. A fervid flood of oratory immediately proclaimed that their mission was to reduce to abject slavery the inhabitants of the good town of Boston. The harassed squad of Redcoats before the Custom House fired upon the mob in 1770 and deprived the town of some of its undesirable citizens. In the face of popular clamor the two regiments were withdrawn to the Castle. Captain Preston and the soldiers comprising the squad were turned over to the civil power and brought to trial in the fall. In the meantime, immediately on the perpetration of the so-called massacre, the town hastily collected depositions from sundry citizens to prove that the fire of the troops was unprovoked, embodied them in a printed pamphlet, copies of which were forwarded to England with a few of Paul Revere's prints in which Captain Preston was pictured in an unmistakably bellicose attitude. It is interesting to compare the depositions printed in the *Short Narrative* of the town with the evidence produced at the trial of the soldiers. As you know, Captain Preston was acquitted and all of the soldiers save two, who were convicted of manslaughter. Much stress was laid in the *Short Narrative* upon evidence that shots were fired from the windows of the Custom House during the confusion in the street. We read in the trial of the soldiers, "published by permission of the Court," that the jury acquitted the accused persons "without going from their seats," while from Hutchinson we learn that the principal witness was held for perjury "and by his own confession he was convicted."

The removal of the troops to the Castle was a deep humiliation to the King's officers, for which the subsequent acquittal of Preston and the soldiers was only a tardy and insufficient reparation. The 14th and 29th were derided in Parliament as "the Sam Adams regiments," and it is reasonable to assume that Boston came to be regarded with loathing in every mess-room of the British army. Parliament held tenaciously to its stupid blundering course, Hutchinson strove vainly to find a way to satisfy the disaffected populace that was consistent with his duty to the King, the tax on tea stimulated the popular ferment, the Port Bill was passed, and in 1774 Hutchinson sailed for England, Gage coming in as military Governor with a half-dozen regiments at his back.

Gage found a serious situation in the Province. Upon his prorogation of the Assembly it promptly resolved itself into a Provincial Congress, independent of his authority. Committees of Safety and Committees of Correspondence existed in every community for the protection of American liberties, or, as Gage saw it, for opposing the lawful acts of Parliament. The energy and secrecy developed in these organizations seem to give the lie to the aphorism that efficiency and democracy have never been made acquainted.

Upon one essential point we find Samuel Adams and General Gage in agreement, that the good people of Massachusetts Bay were in danger of losing their liberties. We know well the contentions of Samuel Adams that those liberties were threatened by the high-handed methods of Parliament instigated by the corrupt and selfish clique that surrounded the King. The contributions to the newspapers of the day, the sermons that thundered from a hundred pulpits, the orations in the Old South Church, all proclaim the existence of a tyranny unworthy of the dark ages in its heartless duplicity and savage barbarity. And yet Gage and his officers looked abroad and beheld a land well endowed by nature and improved by the thrift and toil of a hardy and self-governing population at whose doors neither tyranny nor poverty had ever knocked. The Stamp Act and the tax on tea might or might not be wise, but the uproar about slavery and oppression was to the soldier merely a blatant fraud. He resented the imputation that he came to Boston as the instrument of tyranny, and he knew that there were thousands in the town who welcomed his presence, even as an enforcer of the Port Bill and the Regulating Acts. Then from the country came scores of quiet folk whose lives had been made intolerable in the communities in which they lived. Their crime consisted in an open recognition of the authority of the King and Parliament. Around the candle-lit mahogany in many an old Boston mansion the officers of the army listened to tales of persecution, of threatenings, boycotts, and physical intimidation by mobs. Peace-loving folk of old American stock recited their woes as signers of the complimentary address to Governor Hutchinson, how they had been proscribed in the public press, how they had been ostracized and harried by strong armed neighbors, and how with visions of tar and

feathers before their eyes they had recanted, apologized in the public print, that they and theirs might live in peace in the land of their nativity. There were moderate patriots in those days who deplored the outrages, and who dreaded that they would benefit the Tory cause by rendering a better cause unattractive. In the army, with its memories of 1770, the effect was to arouse a resentment that soon blossomed into contempt and hate. Earl Percy, whose principles were all of the Whig persuasion, had come over well affected toward the Province, but before he had been in Boston two months he was writing home: "the people here are a set of sly, artful, hypocritical rascalls, cruel and cowards. I must own I cannot but despise them compleately." Captain Evelyn, a less conspicuous officer, writing to his reverend father in 1774, declares: "You who have seen mobs, generous ones compared to these, may have some idea of the wretched situation of those who were known or suspected to be friends to the King or government of Great Britain. Our arrival has in a great degree restored that liberty they have been so long deprived of, even liberty of speech and security to their persons and property, which has for years past been at the mercy of a most villainous mob." So you will see how natural it was that the army came into sufficient agreement with Mr. Samuel Adams to declare that dangers did threaten the Goddess of Liberty in the Province of Massachusetts Bay. Surely no milder military rule was ever maintained than that of General Gage. We have it on good Provincial authority that his attitude was distinctly conciliatory, and his demeanor toward the civil officers in the town respectful even to the point of deference. The local press bristled with attacks upon the government he represented, and yet no move was made toward censorship or suppression. Well-known patriot agitators came and went, but their movements and speeches were both ignored. In the meantime on every village green the Provincial militia was drilling, and the towns under the direction of the Provincial Congress were busily engaged in collecting ammunition and supplies for war. Outside of Boston the courts were overawed. Judges and magistrates were waited upon by mobs and forced to resign their trusts, while soldiers in Boston were systematically seduced to desert. The army became restless, and it was urged

that the Governor's leniency was alienating thousands of loyal citizens who naturally looked to him for protection. But Gage persisted in his watchful waiting until it was whispered about in military circles that he was no better in his high office than "an old woman."

During the period of military occupation preceding the massacre there were frequent affrays between the soldiers and the townspeople, who, it seems clear, were for the most part the aggressors. Under Gage's administrations there were no popular tumults comparable to those of earlier days because the military were in dominating force. On the other hand, because of the discontent and the consequent deterioration of discipline in the army, the soldiers were guilty of occasional disorders, and certain young officers also became involved in affairs that disgraced their uniforms. The General had grave reason to deplore the potency of American liquor, a copper's worth of which was sufficient to convert a stolid grenadier into a raging animal defiant of the laws of God and man. Complaints from the selectmen or from aggrieved citizens were respectfully received at headquarters, and stern punishment was meted out to the offenders in the form of court martials and floggings on the Common. Wherefore the army grumbled that the only element exempt from punishment were the tar and feathering Liberty boys, while his Majesty's loyal subjects were left to be harried and hounded, and his Majesty's troops for trifling offences treated to floggings in the presence of their enemies. Human nature being what it is, we can easily comprehend the complaint of the army that between the sedition of Samuel Adams and the weakness of Gage a soldier had but a pitiful standing in Boston.

It is probable that the sentiment of the army was not altogether fair to Gage. The military problem was not as simple as it appeared to a young lieutenant smoking his pipe in a regimental messroom. The effort to impress the people that the army were their friends was perhaps worth the trying. There were few instances from the time of the destruction of Hutchinson's house in 1765 to the coming of the troops in 1774 where political offenders against the public peace were brought to justice by the civil authorities. Gage was aware of this, and in punishing his soldiers for misdemeanors he may have looked

for some appreciation of a policy of even justice and fair play. Whether Lord Clive would have acted differently had he lived to command in Boston is an interesting matter for historical speculation; but the time came when under the stress of local circumstances, reinforced perhaps by instructions from London, Gage felt himself obliged to take some steps to assert the outraged dignity of King and Parliament. So the expedition to Concord was decided upon and every precaution taken to ensure secrecy. It was an arduous task, involving a practically continuous march of thirty-five miles under service conditions. The Grenadiers and Light Infantry received the necessary orders, Smith of the 10th was assigned to command, and Bernard of the 23rd ordered to the Grenadiers. There were more than a score of lieutenant colonels and majors of foot eligible for the Light Infantry, and when it was learned on the morning of the 19th of April that Pitcairn of the Marines had gone out as the General's choice, I fancy there was a stir in the Boston garrison. Why was Pitcairn thus honored? It is of course a mere matter of speculation, but as the fateful hour approached it is possible that the humane General became oppressed with a fear of possible bloodshed. The people were possessed with a dangerous fanatical enthusiasm, and he knew that even among his officers there was a sense of irritation, a keen desire to "have at the damned dogs." So while it was not customary for Light Infantry to look to the Marines for commanders in the field, Gage called for Pitcairn, an officer who not only was a rigid disciplinarian with a long and honorable record of service, but also a man whose humanity and tact had won him the love of his command and the respect of people of all shades of political opinion in the town. Leslie, Nesbitt, Small, and Mitchel were all good men, but the official knock came at Pitcairn's door. Perhaps the Major laughed as he read his orders and thought how the infantry had been slighted; perhaps his broad shoulders squared a bit as he thought how the marines had been honored. I fancy (despite our local tradition) that he had a devout Scotch nature, and as he buckled on his sword belt he may have breathed a simple prayer to be sustained in the work of the coming day — that it might not come to the shedding of English blood.

And now, as we shift the scene to Lexington, let me ask if it

has ever occurred to you to question the wisdom of sixty or seventy men going out and forming on the level ground of the Common, in plain sight of an advancing force of eight hundred of their enemies? There was reason for posting guards at the house of Jonas Clark a few hours before, but when Smith's column entered Lexington, John Hancock and Samuel Adams had withdrawn to safer quarters and no one else stood in danger. Captain Parker stated in his deposition in 1775 that he ordered the militia "to meet upon the Common to consult what to do, and concluded not to be discovered nor meddle or make with said regular troops unless they should insult or molest us." How could he expect that sixty or seventy armed men, grouped between the meeting house and the Buckman Tavern, should fail of discovery by troops passing along the road but a few steps away, and how could he imagine that these troops would ignore them, standing as they did with shotted arms and in a posture of war?[1] The action of the Concord companies later in the day throws Parker's tactics into stronger relief. Concord had more than twice as many men under arms as Lexington, but on the appearance of the British they abandoned the town and retired to the high land above the North Bridge. That move is easily comprehensible and was based upon sound judgment. Yet Captain Parker was a soldier of experience, and he chose a post for observation and consultation where his men would be almost brushed by the scarlet trappings of the passing enemy. Had the village been fired, had women and children stood in danger of outrage and death at the hands of a brutal soldiery, I imagine that every Lexington man would have died in defence of his home and fireside; but no outrage or insult had been reported as attending the British march; high land and thick woods, admirable spots for observation and consultation were close at hand, and yet Parker and his men stood quietly by the wayside inviting insult or

[1] General Heath commented on this fact as follows in his *Memoirs*, published in 1798: "This company continuing to stand so near the road, after they had certain notice of the advancing of the British in force, was but a too much braving of danger; for they were sure to meet with insult or injury, which they could not repel. Bravery when called to action should always take the strong ground on the basis of reason." Mr. Hudson in the first edition of his *History of Lexington*, published in 1868, sought to justify the action of the Lexington company, but his arguments were quite inadequate and are apparently omitted from the new edition issued by the Lexington Historical Society.

molestation. Has it ever occurred to you that Parker acted under orders, that the post he took was not of his choosing? Samuel Adams, the great agitator, had been a guest at Parson Clark's for days, and he was the dynamo that kept the revolutionary machinery in motion. The blood shed by Preston's men in King Street had been ably used by Adams to solidify the popular cause, and now did he feel that the time had come to draw once more the British fire? It is perhaps a foolish query, but it is engendered by an historic doubt. I cannot satisfy my mind that Parker was the responsible agent in the affair. At all events it was a group of brave men that gathered with the Lexington captain on the green that morning, the first flush of dawn lighting their bronzed faces as they stood looking squarely into the face of death.

Since both parties stoutly maintained their innocence it is a difficult matter to decide who fired the first shot on the 19th of April. It was a question of serious political importance in 1775, but today it is merely a matter for interesting historical speculation. The Provincial Congress followed the example of the town of Boston in 1770, hastily collected depositions from all the Provincial actors and spectators, published them in the press, and hurried the information off to England in Captain Derby's packet. The depositions were taken for one express purpose, to show that the British committed a bloody and unprovoked assault upon innocent and unoffending men. The unanimity upon the vital point was as impressive as in the massacre evidence of 1770, and it is only an occasional witness who strays far enough away from the main issue to throw any light upon the details of the transaction. Let us recall the witnesses for a hasty examination. Nearly fifty men of Parker's company subscribed to two blanket depositions. They declared in effect that the company which was gathering dispersed on the approach of the troops. "Whilst our backs were turned on the troops, we were fired on by them, . . . not a gun was fired by any person in our company on the regulars to our knowledge, before they fired on us."[1] This final clause intimating that at some stage of the affair Lexington men did fire, should be especially noted, as the same hint is contained in nearly all the depositions. *Captain Parker* testified that upon

[1] Deposition of Nathaniel Mulliken and thirty-three others.

the sudden approach of the troops he ordered his men "to disperse and not to fire. Immediately said troops made their appearance and rushing furiously, fired upon and killed eight of our party without receiving any provocation therefor from us." *Smith*, a spectator, "saw the regular troops fire on the Lexington company," which was "then dispersing." There is no hint from the foregoing group of witnesses of any verbal preliminaries to the firing of the troops or any suggestion as to whether the firing was spontaneous or the result of orders. *Tidd* and *Abbot* were spectators. They saw the body of troops "marching up to the Lexington company which was then dispersing; soon after, the regulars fired first a few guns, which we took to be pistols from some of the regulars who were mounted on horses, and then the said regulars fired a volley or two." *Mead* and *Harrington* also state that pistol shots from the officers prefaced the British volleys. *Robins* says nothing of pistol shots, but has a good ear for speech. They came "on a quick pace towards us with three officers in their front on horseback, and on full gallop towards us, the foremost of which cried, '*Throw down your arms*, ye villains, ye rebels,' upon which said company dispersing, the foremost of the three officers ordered their men saying, 'Fire, by God, fire,' at which moment we received a very heavy and close fire from them." *Winship*, who stood as a prisoner in the midst of the troops, observed an officer at the head of the troops "flourishing his sword and with a loud voice giving the word Fire!" He says nothing of the command to disperse. *William Draper* avers that Captain Parker's company were turned from the troops making their escape by dispersing, when the regular troops made an huzza and rushed on. "After the huzza was made the commanding officer of said troops . . . gave the command to the troops, 'Fire, fire, damn you, fire.'" *Fessenden* testified that being in a pasture near by he viewed the whole proceeding from a distance of eighteen or twenty rods. He saw the three officers on horseback and heard one of them cry out, "Disperse, you rebels, immediately," at the same time brandishing his sword three times over his head. The company immediately dispersed, while a second officer more to the rear fired a pistol. The regulars kept huzzaing till the leading officer finished brandishing his sword. He then pointed his sword

toward the militia and immediately the troops fired. *Elijah Sanderson* heard an officer say, "'Damn them we will have them,' and immediately the regulars shouted aloud, ran and fired upon the Lexington company." Finally, I quote *Willard*, who viewed the event from a point near the Harrington house, and who in some respects is the most satisfactory witness of the day: "The commanding officer said something, what I know not, but upon that the regulars ran till they came within about eight or nine rods, . . . at which time the militia of Lexington dispersed; then the officers made an huzza, and the private soldiers succeeded them: directly after this, an officer rode before the regulars to the other side of the body, and hallooed after the Militia, and said 'Lay down your arms, damn you, why don't you lay down your arms,' and that there was not a gun fired till the militia were dispersed." This in effect is the Lexington case so far as the evidence of participants and eyewitnesses is concerned. Upon it was based the report of the Provincial Congress. The Province also secured depositions from Lieutenant Edward T. Gould, of the King's Own Regiment, and John Bateman, a private in the Fifty-second Regiment of Foot. Gould was wounded at Concord, captured near Menotomy as he was returning to Boston in a chaise, and he gave his testimony as a prisoner at Medford.[1] Bateman was also a prisoner, evidently of the willing sort, being taken at Lexington in the morning shortly after the departure of the troops for Concord. He declared that he "heard the word of command given to the troops to fire *and some of said troops* did fire"; also that he "never heard any of the inhabitants so much as fire one gun on said troops." This final clause was duly noted by Ripley *et al.* in urging their case against Lexington.

The evidence for the soldiers is of a different character and far less voluminous than that offered for the Province. None of it is given under oath, but it all tends to contradict the Provincial charge that the troops were the aggressors at Lexington, averring that the British fire was given in return for shots that inflicted wounds upon British soldiers. We have in the first place the reports of Gage and Smith, but these may be lightly dismissed as official documents penned under trying

[1] This testimony is referred to in a subsequent note, p. 378, *infra*.

circumstances. Then we have interesting testimony of an unofficial character in the form of letters or private memoranda by officers who were not eyewitnesses of the events they describe, but who portray the views and thought of British messrooms upon the subject. Upon these communications we may very reasonably build the theory that the British headquarters honestly believed in their contention that the Provincials fired the first shot at Lexington.[1]

We then come to the testimony of eyewitnesses, officers of the Light Infantry, who record their views in the same personal, offhand way. The most important witness in this group is Major Pitcairn. Now what did Pitcairn say? We are fortunate in having his statement through President Stiles of Yale, as stanch a patriot as one could wish, with no disposition to whitewash the British case. "Major Pitcairn," says Stiles, "who was a good Man in a bad Cause, insisted upon it to the day of his Death, that the Colonists fired first; and that he commanded not to fire and endeavored to stay and stop the firing after it began: But then he told this with such Circumstances as convince me that he was deceived tho' on the spot. *He does not say that he saw the Colonists fire first.* Had he said it, I would have believed him, being a man of Integrity and Honor. *He expressly says he did not see who fired first;* and yet believed the Peasants began. His account is this — that riding up to them he ordered them to disperse; which they not doing instantly, he turned about to order his Troops so to draw out as to surround and disarm them. As he turned he *saw* a gun in a Peasant's hand from behind a Wall, *flash in the pan without going off:* and instantly or very soon two or three guns went off by which *he found his Horse wounded* and also a man *near him wounded. These guns he did not see,* but believing

[1] Prominent in this class of testimony may be mentioned Earl Percy's letter to his father the day after the battle, and Lieutenant Colonel Abercrombie's letter to Lieutenant Governor Colden, of New York, dated May 2, 1775. "There can now surely be no doubt of their being in open Rebellion," says Percy, "for THEY fired first upon the King's Troops as they were marching quietly along." Abercrombie writes: "I have made the strictest enquiry among'st the Officers and can assure you upon honor, that not One Shott was fired by any of the troops, till their men at Lexington fired on Our Men, a Serg't, a Soldier and Major Pitcairn's Horse were wounded by those three Shotts." This testimony of Abercrombie carries the more weight because it is coupled with some very frank criticism of the behavior of the troops in the afternoon.

they could not come from his own people, *doubted not* and so asserted that they came from our people; and that thus they began the Attack. The Impetuosity of the King's Troops were such that a promiscuous, uncommanded but general Fire took place, which Pitcairn could not prevent; tho' he struck his staff or Sword downwards with all Earnestness as a signal to forbear or cease firing." [1]

Now this testimony of Pitcairn's troubled Stiles, who declared that it was a very great justification of Gage's claims, but I agree with him that it has an honest ring and meets the probabilities of the case. What would any conscientious officer have done on finding the Lexington company drawn up under arms by the roadside, at an hour when most good subjects of the King were supposed to be in bed? In the first place he might have ripped out an oath and we have evidence to the effect that this was what Pitcairn did. Here was a pretty kettle of fish for an officer bound upon a secret mission and who was due in Concord within the next two hours. That group of

[1] *Diary of Ezra Stiles*, I. 604. Pitcairn's statement is confirmed in its important details by the officers of the Light Infantry who were engaged in the tragedy at Lexington. Lieutenant Gould of the King's Own Regiment gave his testimony as a wounded prisoner at Medford in the form of a sworn deposition which was incorporated in the general body of Provincial evidence: "We saw a body of Provincial troops, armed, to the number of 60 or 70 men. On our approach they dispersed and soon after firing began; but which party fired first, *I cannot exactly say*, as our troops rushed on shouting and huzzaing previous to the firing, which was continued by our troops as long as any of the Provincials were to be seen." This testimony given under such peculiar circumstances should be read in connection with a private memorandum included among Earl Percy's papers at Alnwick in which he speaks of meeting Gould near Menotomy on the afternoon of the 19th of April. "Met with Lt. Gould of the Kings Own Regiment, who was wounded, and who informed me that the Grens and L. I. *had been attacked by the rebels about daybreak* and were retiring."

Ensign D'Berniere of the 10th Regiment left a private memorandum book in Boston at the time of the evacuation which was published in that town in 1779, "for the information and amusement of the curious." His minute is as follows: "Major Pitcairn came up immediately and cried out to the rebels to *throw down their arms* and disperse, which they did not do; he called out a second time, but to no purpose; upon which he ordered our light-infantry to advance and disarm them, which they were doing, when one of the rebels fired a shot, our soldiers returned the fire and killed about fourteen of them."

Another lieutenant of the King's Own (see *Atlantic Monthly*, April, 1877) leaves this entry in his private diary: "On our coming near them they fired one or two shots, upon which our Men *without any orders*, rushed in upon them, fired and put em to flight. . . . We then formed on the Common but with some difficulty, *the Men were so wild they could hear no orders*."

armed men created a situation that called for treatment. Bloodshed was not to be thought of, prisoners could not be handled on a rapid march, and I imagine that the Major was not long in deciding that these foolhardy fellows must be surrounded, disarmed, and then sent about their proper business. They had been ordered to disperse with appropriate epithets, and according to Captain Parker they were dispersing when the command was given. You remember that Willard testified that "the commanding officer said something what I know not, but upon that the regulars ran till they came within 8 or 9 rods of the militia." I fancy that the "something" which Willard did not hear was Pitcairn's order to surround and disarm the company. Then followed a second order, but from another officer as Willard heard it — "*Lay down your arms, damn you, why don't you lay down your arms.*" That was the crux of the whole situation. Sixty desperate men were getting away with their arms and the regulars were behind in the race. This may have been when Sanderson heard an officer say "damn them we will have them," referring of course to the arms. The situation here becomes hopelessly involved in the confusion of pistol shots and huzzas. Three Lexington men testify that they heard the command to fire. I wish that these witnesses might have been cross-examined by the eminent counsel who defended the soldiers in 1770, although it is possible that they heard aright. The Provincial with his hatred of the powers that would enslave him and the soldier burning with long-suppressed resentment were in close contact, and firing soon began. Perhaps a firelock in the hands of some stern fanatic first flashed in the pan, perhaps some hot-headed subaltern in scarlet did hiss out the words, "fire, by God, fire." At all events the volleys were British volleys, and Pitcairn came riding in, striking right and left among the levelled muskets and cursing the day that had brought the Light Infantry within the scope of his activities.

Smith's report says nothing of any breach of discipline on the part of the troops and merely states that they returned the Provincial fire. This was the easy way out for Pitcairn, as he would have been well within his rights. But as a man of "integrity and honor" he told the truth, and it is a notable fact that when Gage issued his Circumstantial Account, he based it

upon what Pitcairn told him and not upon Smith's report. Had Pitcairn known that generations of unborn Americans were to condemn him as a bloody butcher, I do not think he could have been any more chagrined or miserable than he was that day. The disgrace of it all, his men out of hand and raging like a mob, the success of the march imperilled, perhaps war begun, this was a pretty situation for an honest Major of Marines.

One of the last acts of Mr. Hudson, the historian of Lexington, was to contribute a paper to this Society in generous defense of Pitcairn.[1] He asserted indeed that he gave the command to fire at Lexington, and alleged, on what authority I do not know, that he had always admitted the fact. His finding was that despite, his profanity, the Major was a brave and humane man and a faithful servant to his King. Now Pitcairn's reputation for profanity rests solely upon those expressions alleged to have been uttered by him before the firing at Lexington. The Concord episode of the whiskey glass is an outgrowth of the tradition and not an authority for it.[2] Washington has not gone down in history as a profane man because he addressed Charles Lee at Monmouth in language that suited the occasion, and yet there is quite as good a case against Washington as against Pitcairn. Can anything be more absurd than that those resonant damns lavished by the Major upon the Lexington militia should have been allowed to cloud his character for so long in the writing of American history? And now, as I conclude what I have to say of Pitcairn, I wish that you might recall his features as they appear in that charming miniature owned by the Lexington Society. He came of an ancient Fifeshire family. His father, the Rev. David Pit-

[1] 1 *Proceedings*, XVII. 315. It is to be regretted that the Lexington Historical Society, in republishing Hudson's *History*, did not reprint this communication.

[2] This story may have originated from certain passages in Gordon's letter of May 17, 1775, which was first published in the *Pennsylvania Gazette* in June of that year. He quotes Jones, the innkeeper and jailor at Concord, as asserting that Pitcairn assailed him with profane and abusive language. These passages were expunged from Gordon's condensed account published in the *North American Almanac* for 1776, nor do they appear in his history. Hudson rejected the whiskey glass story, declaring that it rested upon "very slender evidence." The amount of cursing attributed to the British officers at Concord and Lexington in the Provincial accounts fairly recalls Uncle Toby's assertion that "Our armies swore terribly in Flanders — but nothing to this." The British achievement seems the more notable, as we have no record of any Provincial utterance that was calculated to bring a blush to the most modest cheek.

cairn, was long minister at Dysart, where the Major was born in 1722. He married Elizabeth Dalrymple, of the Dalrymples of Arnsfield, Dumfriesshire, and Dreghorn Castle in Mid-Lothian. His wife predeceased him, and after his death his orphan children were adopted by his brother, Dr. William Pitcairn of London, who always acted toward them with the affection and solicitude of a parent. Dr. Pitcairn was a man of rare social charm, one of the most distinguished physicians of his time, and he was honored with the presidency of the College of Physicians in London. In the Major's son, David, Dr. Pitcairn found a worthy successor, as the young man became the leading practitioner in the British metropolis, the envy and pride of his profession. The remains of the Major lie interred under the Church of St. Bartholomew the Less in London, side by side with those of the good brother and the worthy son.

Lieutenant Colonel Abercrombie and Majors Spendlove and Williams died with Pitcairn at Bunker Hill, and yet in all quarters it was Pitcairn's death that was regarded as the irreparable loss. "The principal killed on their side," writes Earl Percy to his father after Bunker Hill, "is Dr. Warren, Prest. of the Provincial Congress, and on ours poor Major Pitcairn who commanded the two battalions of Marines and about whom I wrote to my mother." One would like much to see that letter, with Percy's tribute to a brave friend. Burgoyne was touched and wrote to Lord Palmerston in these words: "Major Pitcairn was a brave and good man. His son, an officer in the same corps, and near him when he fell, carried his expiring father upon his back to the boats, about a quarter of a mile, kissed him and instantly returned to duty. The circumstance in the hands of a good painter or historian, would equal most that can be found in antiquity." [1] There is another contemporaneous version of the episode to which Burgoyne refers, incorrect in some details but suggestive in its spirit. It runs in this fashion: "Lieut. Pitcairn, son to the Major was standing by his father when that noble officer fell and expired without uttering a word. He looked wistfully at the Lieutenant who kneeled down and cried out, 'My father is killed, I have lost my father.' This slackened the firing of the regulars for some minutes,

[1] *Proceedings*, XLVII. 288.

many of the men echoing the words, — 'We have all lost a father.'"

The news of Pitcairn's death reached the King in July, and in August the following announcement appeared in the London papers: "Lieut. Pitcairn of the Marines (who brought his father Major Pitcairn when mortally wounded at Boston off the field of action) is appointed a captain-lieutenant of the said corps, though not in his turn, as acknowledgment of the services of his gallant father." It must have been a rare character that could arouse admiration in natures so diverse as those of General Burgoyne and the Rev. Ezra Stiles. Surely the time has come for our historians to abandon the old, baseless prejudices respecting Pitcairn, and realize and admit that when on the battle night he drew his last painful breath in that unknown North End dwelling, it was the soul of a very true and gallant gentleman that took its flight to God.

In this paper I have confessed to certain historic doubts and have commented upon some phases of the Lexington story, from its simple historic inception to the highly elaborated forms in which it is rehearsed today. We have noted the attitude and experiences of the Loyalists with a view to tracing their influence upon the King's officers convincing them that they were employed in a righteous cause. We have dicussed the long mooted question as to who gave the first fire at Lexington, and I have presented what I believe to be a reasonable version of the fateful tragedy and of the part which Major Pitcairn played therein. As Pitcairn has long been cast as the chief villain in the piece, I have been at some pains to indicate from contemporary evidence the sort of man he really was. I wish there were time to say something of Earl Percy's activities in command of the First Brigade and to comment on his conduct of the march to Boston. I must in conclusion say another word as to the alleged resistance of the Lexington company, with particular reference to the historical accuracy of Sandham's painting of the Dawn of Liberty.

Does it seem to you that the Lexington historians since 1825 have been quite fair to their minutemen of 1775? They have not only contended that a handful of their townsmen stood in arms in mute defiance of British anthority, but that they engaged in battle with ten times their number of trained troops

and exchanged shot for shot. Was it fair to insist that Parker's men should be regarded as something more than human, and that, modest and all unwilling, they should be forced to take a place among the Gods? I have alluded to the retreat of the Concord companies when they first descried the van of the British column on the road. They numbered 200 men, three times the size of Parker's force, and though they abandoned the village and took position on the high land near Major Buttrick's house, I have never heard that their tactics were called in question. Later in the day, when Buttrick marched down to the North Bridge in overwhelming force, what did the British do? Trained and seasoned veterans as they were, after one sharp exchange of shot, they beat a hasty retreat. No one has ever ventured to allege that this was not a proper and necessary military measure, and Captain Laurie, their commander, still remained in full possession of his reputation as a brave and skilful soldier. Why should Lexington have held its soldiers to standards that if spectacular were surely useless, rash, and unmilitary? Various declamatory speeches have been attributed to Captain Parker, but were he an ancestor of mine I should cling to what he claims to have said himself, that he "ordered his men to disperse and not to fire." There spoke the strong and prudent soldier who regarded his duty to his command and to the great cause he had espoused.

That the Lexington company, as a company, did not fire upon the Light Infantry on the Common is, I believe, as clearly proved as any historical fact need be; that certain individuals belonging to the company or numbered among the spectators did before or after the British attack discharge their pieces, is also clear. The British were subject to the political temptation of magnifying their losses at this point, but all they claim is that a private soldier was wounded and that Major Pitcairn's horse was struck in two places. Now it is clear that this wounded soldier tramped on with his company to Concord, while Pitcairn's horse not only carried him through the morning, but somewhere about one o'clock he was still so antic that he unseated his portly rider and ran snorting into the enemy's lines with that brace of pistols that are now among the most cherished possessions of the Lexington Historical Society. From these facts I conclude that the injuries sustained by the

British on the Common were of the order known as flesh wounds, either glancing scratches or contusions inflicted by spent balls fired from distances almost out of range. No Lexington historian has ever contended that Parker's men were deficient in the knowledge and handling of firearms or that they were bad shots. Had they disobeyed the order to disperse, and conducted themselves as they are represented in Sandham's painting, I maintain that Pitcairn's advance companies would have been torn to shreds and the hands that signed the depositions of 1775 would all have been clenched in death.

It is probable that the present version of the Lexington story is with us for a protracted stay, and so it is a matter for some regret that Phinney in 1825 should have been induced to strive against such odds to prove that this man or that let fly "the guts of his gun," and that British blood shed by Parker's marksmen did in the early April dawn anoint the sacred soil of Lexington. It is the more regrettable because unnecessary, the glory and fair fame of Lexington resting securely upon a sound and impressive basis of achievement. She might have cited the simple historic fact that while on the 19th of April she contributed hardly two per cent of the total strength that was mustered in eastern Massachusetts against the King's troops, her killed and wounded exceeded twenty per cent of the whole loss sustained. Why should a town that had done so much in the common cause have been tempted to contend for more trivial honors?

It is a singular fact that the imagination of no great artist has been stirred to portray the glory of Lexington's great day in any fashion that does not involve that ten minutes of tragic confusion on the Common. Surely there are episodes enough to fire the genius of a dozen studios, yet our painters and engravers have gone on tamely reproducing the Doolittle theme with this or that amendment. We have noted the value of Doolittle's work as performed in 1775 and repeated by him in 1832 as giving an accurate idea of the Provincial conception of the behavior of the minutemen. He was not as well circumstanced to depict the actions of the King's troops, and we have reviewed evidence indicating that those smooth and even volleys that he depicts as rolling from the well-dressed British lines were never fired. Had those lines been portrayed as broken and bulging, with scattered outbursts of musketry here

and there, with officers on foot and horseback rushing about in efforts to restore order, I think we should have something that, however discreditable to British military discipline, would be a closer approximation to the truth. There is little inspiration for the reader or the artist in such incidents as this.

Why could not Sandham in choosing his subject have turned the hands of the clock back one short half hour? I can see a picture in the gray of the early morning, the first tinge of dawn flushing the cloudless east, the flicker of guttering tapers on the dull glow of the taproom fire shining dimly through windows in the Buckman Tavern. The thin line is forming, and dusky groups are moving across the green to take their accustomed places. All is silence. The rolling drum has ceased its warning, the last echo of the belfry's brazen voice has died away, and then through the stillness we seem to hear the rhythmic footfall of marching feet. The King's troops are at hand, and as we look into the depths of the gray picture and mark that devoted band standing steadfast by the church, we feel that here is a faithful portrayal of a strangely impressive historic fact. It is an honest picture before which Ananias would slink away abashed.

May I suggest another subject that would lend itself to artistic treatment? I find my text in the simple fact, although our historians have made nothing of it, that when the British approached the Lexington line on their return from Concord it was the bullets of Parker's reassembled company that came pelting among them. I maintain that a body of citizen soldiery that had lost nearly a quarter of their number a few hours before as the result of the close and shattering fire of the Light Infantry would have rested under no stigma had they appeared in arms no more that day. Discipline in the Provincial militia was not strict, but it seems to me that courage was instinctive and the meaning of comradeship and duty well understood in Lexington. Here is the picture. Again the old historic scene with the church and belfry. The British have passed on to Concord, and while we are conscious of the horror and mourning that have come to the quiet village dwellings, the sun shines bright through budding boughs upon the trampled greensward of the Common. What an opportunity for an artist in depicting the faces of those rough determined men who re-

gather about their captain, Jedidiah Munroe among the rest with his bandaged wound. They stand waiting for the command to march. In a moment they will hear the tap of Dimond's drum, they will shoulder their firelocks, and all fearless and unconquered tramp sturdily up the Concord road to meet what it shall please God to send them.

I admit the existence of poetical license in this conception, but I maintain that the license has not been abused, that it violates in no sense the essential fact. That fact to my mind was the most impressive, the most heroic episode of the 19th of April, 1775, and it was performed by Captain John Parker and the men of Lexington on that never to be forgotten day.

MEMOIR

OF

JOHN CHIPMAN GRAY.

By ROLAND GRAY.

In one of his official reports, General Sherman mentions the dispatch of a boat up the Savannah River on an errand of importance in charge of "a very intelligent officer whose name I cannot recall." The officer was Major John Chipman Gray. It was characteristic of him that he found this form of honorable mention not displeasing. Throughout a long career in civil life, during which he attained greater distinction than he ever had the opportunity to achieve in military life, he remained singularly modest. While he appreciated the good opinion of those qualified to judge his work, he disliked all publicity.

John Chipman Gray was born in Brighton, now a part of Boston, on July 14, 1839, the son of Horace Gray and Sarah Russell Gray, daughter of Samuel Pickering Gardner. He was a grandson of Lieutenant-Governor William Gray, a merchant of Salem and Boston, who was the greatest shipowner in the country at a time when we took a leading part in the commerce of the world. From this grandfather came to him the house in Cambridge in which he lived a part of the year.

William and Abraham Gray, the grandfather and father of William Gray, were pioneers in the shoe manufacturing business in Lynn. Two of Mr. Gray's uncles, Francis Calley Gray and John Chipman Gray, were men of prominence in Boston and benefactors of Harvard College. Both were members of the Massachusetts Historical Society. The name John Chipman was derived from the father and grandfather of Elizabeth Chip-

man, wife of Lieutenant Governor Gray, the elder of whom was a well-known clergyman of Beverly.

Horace Gray, Chief Justice of the Supreme Court of Massachusetts and Associate Justice of the Supreme Court of the United States, was an older half-brother. Their father, Horace Gray, the senior, was a merchant on a considerable scale, but met with business reverses before his sons had grown up, which forced them to depend as young men upon their own exertions. In after years Mr. Gray attributed whatever success Judge Gray and he achieved to this stimulus in their early lives. It seems probable that men of such active minds would have achieved distinction under any circumstances, but they might have done so in different fields from those in which their careers actually lay. In the case of John Chipman Gray his life might perhaps have been devoted more exclusively to scholarly pursuits.

Mr. Gray was educated at the Boston Latin School and at Harvard College, from which he graduated in 1859. There is little record left of his school and college days. In a letter to him many years later, one of his schoolmates tells an incident which shows that Mr. Gray possessed in his youth the strong sense of justice which later distinguished him, together with an independent spirit rare among boys. It casts light also on life in the school.

> In our Fourth Class year, Mr. Gardner arranged a match between our class and the class above us in Virgil. From 9 to 10, both classes were set to study a certain number of lines; and from 9 to 2, we were all examined together by John Noble. How vividly I recall the time of that fearful five hours examination. As our class had not yet studied Virgil at all, the First Class lent us their books. I remember that you and I alone had so few as four mistakes only — one of which I was so lucky as to wipe out by two "corrections" of false quantities, thereby saving my "approbation card" at the week's end. Next day, Mr. Gardner came down with a copy of Virgil in his hand, saying that the First Class had complained of the way in which their books had been handled; and he asked which of us had used the copy he then held. It turned out that I had had it. Mr. Gardner then asked if that was the way I used borrowed books. I examined the book; there were no torn leaves, no dog's ears, no markings with pen or pencil, no blots or black spots at all — only a slight soiling which could not have been avoided from the perspira-

tion of the hands (for I had held that book five hours open at the same place, in front of the furnace register). "Well?" roared Mr. Gardner. "I don't see —" I began, intending to say, "I don't see there is any injury I could have avoided under the circumstances." But Mr. Gardner burst in after the word "see." "Don't see!" he bellowed, "Pass the book down the division and let us know how many can't see!" So the book passed down, and, as there was the slight soiling I have mentioned, every boy confessed he did "see." Mr. Gardner burst out upon me with a — "Well, Sir, have you concluded that you can *see?*" "No, Sir," I replied, with the miserable sense of being denied all justice in the way of explanation of what I could not see. Mr. Gardner's eyes flashed fire. Striding up to me, he shook that mighty fist of his within an inch or two of my face, and roared out; "Speak another word, and I will thrash you!" Then, turning to the division, he cried; "How many boys in this room will ever believe this young man again on his word?" Out of the forty or fifty boys in the room, only two dared to hold up their hand. You, who sat next to me, instantly held up yours; and Ned Blagden, emboldened by your example, soon after timidly raised his. Mr. Gardner was thunderstruck at seeing you raise your hand; for he, no less than all the rest in that room, knew you to be the most conscientious and truthful boy in the class.

Mr. Gray left the Latin School at the end of the third-class year, and thus gained a year in entering college. By his own account he did not study very hard in college at any subject except mathematics, in which he was always especially interested. Nevertheless, he obtained the fifth place in the class. He was a member of the Phi Beta Kappa Society and of the Hasty Pudding and Porcellian clubs.

The college course was followed by two years in the Harvard Law School, from which he graduated in 1861. He returned for a third year of study, but left the School in January, 1862, receiving his Master's degree at commencement that year. The law school was not then a place of strenuous work for teacher and student, such as it later became under the sway of a new generation of professors of whom Mr. Gray was one. His mind, however, was actively employed not only in studying law but in reading on a great variety of other subjects. He passed there two of the happiest years of his life.

On leaving the Law School, perhaps before doing so, he entered the office of Peleg W. Chandler, a prominent member of the

Boston bar. There he immediately showed an aptitude for the legal profession. When Mr. Chandler subsequently recommended him for the position of Judge Advocate, he wrote: "John Gray was with me a year. He is the ablest man of his age as a lawyer that I know of." Mr. Gray was admitted to the bar September 18, 1862.

While Mr. Gray was never an abolitionist, nor an indiscriminate admirer of the leaders of the Republican party, he was an uncompromising Union man and believed in prosecuting the war with vigor. His fair prospects in his profession, the necessity of standing on his own feet, and his natural inclination toward intellectual pursuits did not prevent him from volunteering for service in the army. He intended to enter one of the regiments raised in Boston in the spring or summer of 1862, but failed to do so, for some reason not now discoverable. On October 7, however, he was enrolled as second lieutenant in the Forty-first Massachusetts Volunteers, to serve for three years.

Lieutenant Gray was immediately detailed for duty on the staff of Brigadier-General Gordon, then at Harper's Ferry. For nearly a year thereafter he remained on duty with General Gordon, moving about from one point to another in Maryland and Virginia, now with the Army of the Potomac and now with the Army of the Peninsula. Although frequently in the neighborhood of fighting, he seems never to have been under fire in these campaigns. He remained always detached from his regiment, which was consolidated in July, 1863, with unattached companies of cavalry and made into the Third Massachusetts Cavalry.

On August 11, 1863, General Gordon, with his division, embarked to join the troops on the islands near Charleston Harbor under General Quincy A. Gillmore, engaged in attacking forts Sumter and Wagner. The division was stationed on Folly Island, an uncultivated sand heap with only one house and inhabited by millions of crabs. Here Lieutenant Gray remained for several months as Assistant Adjutant General, acting as secretary to General Gordon and Assistant Judge Advocate. His diary, and the letters which he wrote to his family and friends, particularly to the late John C. Ropes, show that he took a lively interest, though only as a spectator, in the attack

upon the forts. Some passages in his account of this attack show what was then thought remarkable in the way of artillery operations.

Our first parallel is 1100 yards from Fort Wagner, our second, behind which are the main batteries, 600 yards from Fort Wagner, and the third, which has only one gun in it, is 350 yards; our pickets are within a stone's throw of them. We have one 300-pounder Parrott gun not yet in position, two Whitworth guns, seven 200-pounder Parrotts, five 100-pounder Parrotts, besides small guns. At Fort Pulaski General Gillmore did not have any gun as heavy as a 100-pounder. Our casualties are few. The 300-pounder gun has given a great deal of trouble; it weighs 27,000 pounds and keeps breaking the slings which are carrying it. . . . Our land batteries devote themselves almost exclusively to Fort Sumter from which they are distant, I believe, about a mile and three quarters. What would the old masters of the engineering art say to such a distance, what would have been thought of it ten years ago? Why it used to be a disputed question whether 600 yards was not too great a distance for the batteries to destroy the defences of a place, and the breaching batteries used to be erected at the crest of the glacis.

An interesting incident in his correspondence with Mr. Ropes, in view of the latter's subsequent work, is the suggestion, then discussed between them, that Ropes should write a history of the war.

In March, 1864, General Gordon and his staff moved to the more southerly island of Hilton Head, the headquarters of the Department of the South, a spot to which Lieutenant, or, as he was soon to become, Major Gray was often to return. An example, he calls the place, of what a military headquarters should not be, in the way of wastefulness and idleness. During the next six months, however, he was not doomed to be confined there. In company with General Gordon he was constantly moving from one place to another in the Gulf states, and up and down the river in Louisiana and Arkansas. In August he was at Mobile during the bombardment and capture of Fort Morgan. Though he had received in July an appointment as Judge Advocate, with the rank of Major, for the Department of the South, then commanded by General Foster, he continued to serve as aide to General Gordon until September, when the latter left the Department of the South and Lieutenant Gray was mustered

out of the Massachusetts Volunteers and became a Major on the United States Volunteer General Staff.

When General Sherman was approaching Savannah, at the end of November, an expedition was sent from Hilton Head to capture points on the railroad between Savannah and Charleston. Two engagements, with considerable loss of life, took place, on November 30, near Grahamville, and on December 6 on ground between the Coosawhatchie and Tullifinny creeks. Major Gray took part in both these skirmishes, and the latter was the first and apparently the only occasion during the war in which he was actually under fire, though he shortly afterwards performed service that was perhaps more dangerous. A week later he met Sherman, who had just reached the sea. His first impressions are thus described in a letter to Mr. Ropes:

Str. *Nemaha*, Dec. 14, 1864.

I have just passed a whole morning in the company of the greatest military genius of the country in the height of his success. If I were to write a dozen pages I could not tell you a tenth part of what he said, for he talked incessantly and more rapidly than any man I ever saw. A despatch boat goes North immediately on our arrival at Hilton Head with the glorious news of Sherman's success, but I will try to scribble a word or two as we go along in this shaky boat.

A line first about preliminary movements; about the 25th of November General Foster received orders to make demonstrations against the Charleston and Savannah Road and cut it, if possible, with the view of helping General Sherman, and on the 27th I started with General Foster on board the steamer *Nemaha*, together with 5000 troops, who after they were landed were to be under the command of General Hatch. General Foster's wound makes him unable either to walk or ride, so that he remained on the steamer, and directed operations therefrom; we first attempted to reach the railroad near Grahamville, but met a battery which barred our progress and we retired after considerable loss; other demonstrations were made in different directions, and finally a force was landed at Tullifinny Creek and pushing forward after a sharp skirmish gained a position about ¾ of a mile from the R. R. which we still occupy, and from which with our artillery we can prevent the passage of trains at least in the day time. When this force landed I accompanied General Potter who was in command, and the fight which ensued was the first time I was ever under musketry fire or indeed any fire of consequence. It is singular that I should have been two

years an aide-de-camp on the staff of a fighting brigadier without hearing a bullet whistle, and within two months after becoming the legal adviser of a supposed sleeping department, I should be in the midst of a hot fire, for it was brisk work and looked badly for a few minutes. I suppose you may by this time have seen Colonel Hartwell who was slightly wounded in the fight at Grahamville while leading his regiment in a most gallant manner. All this, which I would like to dwell on, must give place to the great news. I had a long talk with General Foster about Fort Sumter, but this also I must reserve for a future time. On the morning of the 11th news came that a scout of General Howard's had come through and reported all well and last night after General Foster had once attempted in vain to open communication with General Sherman, he again started on the *Nemaha* for Ossabaw Sound, and throwing all business aside, I was bound to go with him. We started about 7-½ P. M., and reached Ossabaw Sound at 2 A. M., where we were boarded by a signal officer who informed us that Fort McAllister had been captured by General Hazen's division in an assault at 5 o'clock the night before, and that he (the signal officer) had seen General Sherman; we steamed up the Ogeechee as near to Fort McAllister as the obstructions and supposed torpedoes would allow us, and sending a boat on shore, General Sherman with a captain of his staff came out, arriving about 7-½ o'clock and remaining till half past one.

First about Fort McAllister, the "all important capture" of which, as General S. terms it, secures an excellent base for such supplies as may be needed. The fort is very strong, mounting 21 guns, some of which are field pieces, and many months ago beat off three heavy ironclads, inflicting considerable damage; the assault was made by three columns, each of three regiments, and twenty-five minutes by the watch, as General Sherman says, after the first order was given the fort was in our possession; the garrison fought desperately, and several refusing to surrender were killed inside of the fort, our loss was about 80, of whom half were killed and wounded by the explosion of torpedoes buried in the ground which were exploded by our men walking over the works after they were captured. General Sherman set the prisoners to work digging them up and informed the commander of the fort that he had it in consideration to shut him up with a number of his men equal to the number of our men who were killed by torpedoes and blow them up by gunpowder.

General Sherman is the most American looking man I ever saw, tall and lank, not very erect, with hair like a thatch, which he rubs up with his hands, a rusty beard trimmed close, a wrinkled face, sharp, prominent red nose, small, bright eyes, coarse red hands;

black felt hat slouched over the eyes (he says when he wears anything else the soldiers cry out, as he rides along, "Hallo, the old man has got a new hat"), dirty dickey with the points wilted down, black, old-fashioned stock, brown field officer's coat with high collar and no shoulder-straps, muddy trowsers and one spur. He carries his hands in his pockets, is very awkward in his gait and motion, talks continually and with immense rapidity, and might sit to *Punch* for the portrait of an ideal Yankee. He was of course in the highest spirits and talked with an openness which was too natural not to be something more than apparent. In striving to recall his talk, I find it impossible to recall his language or indeed what he talked about, indeed it would be easier to say what he did not talk about than what he did. I never passed a more amusing or instructive day, but at his departure I felt it a relief and experienced almost an exhaustion after the excitement of his vigorous presence.

He has Savannah securely invested, his left rests securely on the Savannah River, his right at Fort McAllister, his line is within the 3 mile post from the city; he intends to throw a division across the Savannah to prevent the escape of Hardie from the city, and says he shall take his own time about reducing the city, unless he is hurried by despatches from General Grant; he has 60,000 men with him and only wishes there were more men in Savannah; he says the city is his sure game and stretches out his arm and claws his bony fingers in the air to illustrate how he has his grip on it. There is a "whip the creation" and an almost boastful confidence in himself which in an untried man would be very disgusting, but in him is intensely comic. I wish you could see him, he is a man after your own heart, like Grant he smokes constantly, and producing 6 cigars from his pocket said they were his daily allowance, but judging at the rate he travelled through them while he was on our boat, he must often exceed it. He scouted the idea of his going on ships and said he would rather march to Richmond than go there by water; he said he expected to turn North toward the latter end of December, at the same time the sun did, and that if he went through South Carolina, as he in all probability should, that his march through that state would be one of the most horrible things in the history of the world, that the devil himself could not restrain his men in that state; and I do not think that he (that is Sherman, not the devil) would try to restrain them much. He evidently purposes to make the South feel the horrors of war as much as he legitimately can, and if the men trespass beyond the strict limits of his orders he does not inquire into their cases too curiously. He told with evident delight how on his march he could look 40 miles in each direction and see the smoke rolling up as from one great bonfire.

His army has been and is in perfect health and spirits, with everything they want, in much better condition than if they had remained at Atlanta, they are all ready to march anywhere with the "old man" in five minutes. The army has not been on diminished rations a day since they left Chattanooga, and since they started on this last march General S. says that they have had turkeys every morning for breakfast, and won't condescend to eat hogs. His better disciplined regiments have now in their knapsacks 7 or 8 days bread with which they started and the army brought in great droves of cattle, mules and negroes, the latter of whom he wants to turn over to General Sexton, and evidently does not believe in the African as a soldier; he says he has destroyed $50,000,000.00 worth of property and saved the Government $3,000,000.00 for the expenses of his army.

The steamer is going and I have to close without beginning to say what I wish; General Sherman says the opposition to him was puerile and his infantry was never attacked.

On February 1, 1865, he was sent by General Foster to carry a despatch to General Sherman, who had left Savannah on his way to Columbia. He started in the evening to go up Pocataligo Creek by boat; but he found that impossible, and the next day took to the land. A letter to Mr. Ropes recounts his experiences, the most interesting in his military career, and gives a glimpse of Sherman's army on the march.

After landing on the bank I walked a mile and a half to Pocataligo Station where I found General Hatch and learned that General Sherman had cut loose entirely, his last troops having left on the morning of the day before. General Hatch said it was impossible for me to go alone, and all his cavalry had gone off to Robertsville; he offered me an infantry escort, but I rather demurred to the slowness of that, and finally he gave me a sergeant and twelve men from a light battery mounted on team horses and armed with pistols, besides this there were four cavalry men going back to Sherman; I started off about half past ten, and I confess thought there was about one chance in ten of my getting back safely, and a very disagreeable prospect of being hung if I was captured by any of the guerillas exasperated by the havoc made by Sherman's army.

Off I went at a trot, and found great difficulty in keeping the men up with me even at a slow gait; my pistol with its holster broke from my belt without my knowing it, and so I was left entirely without arms. Fortunately, however, I saw no one except a few negroes till I reached Hickory Hill, 18 miles out, where I found the rear guard of Sherman's army just leaving; here I left my escort and rode on

13-½ further to Duck Bridge over the Coosawhatchie, where General Sherman had encamped for the night with the 15th Corps which, with its wagons, about 500 in number, lined the whole length of the road. The road was bad, in many places going through great pools nearly up to the horses' bellies, and two or three hundred yards across, but everything kept well up, the teams were excellent and no wagons were stalled. There was absolutely no straggling. . . . I delivered my despatches to General Sherman, took dinner or supper as you may choose to call it with him, and after being there two hours started back with a letter and verbal instructions from him to Pocataligo. I tried to trot and succeeded for a mile or two, but my horse was too fagged to make it safe to keep up the gait and so with the exception of about a mile I walked my horse the 31-½ miles back to Pocataligo, picking up my escort as I went back. The road was so bad and the night so dark that I could hardly have gone any faster had my horse been fresh, and as it was, I had to beat and spur my poor brute to prevent his stopping altogether; it took me ten hours to get back to Pocataligo, making 63 miles in 20 hours with only 2 hours out of the saddle, soon after midnight too it began to rain and before daylight was pouring hard. Next morning I understand Wheeler's cavalry made their appearance in front of Pocataligo, so that I was fortunate in returning by night and not waiting with Sherman for day. As I have not been on a horse more than twice for the last nine months and then only for short rides, you may imagine I was pretty stiff and sore for a day or two. Still I would go through the fatigue and anxiety again for the pleasure of having seen one good day of the march of Sherman's army; it was a beautiful sight to see the long line of camp fires in the woods; with one or two exceptions all the buildings and fences on the road were burned, and it was a curious sight to see how the fires gradually died out, from the bright red flames pouring forth from house and cotton gin in the immediate rear of his army to the utter blackness near Pocataligo where the army had passed two days before.

General Foster now left for the north and Major Gray became Judge Advocate on the staff of General Gillmore, commanding the department.

On the first of May General Sherman, who had come south again by sea to Port Royal, ordered supplies and a detachment of troops to be sent immediately up the Savannah River to Augusta, to occupy the arsenal there and open up communication with General Wilson at Macon. The first boat that started up was in charge of Major Gray; and it was with reference to

this expedition that General Sherman made the remark quoted at the beginning of this memoir.

In a letter in April, 1865, after Lee's surrender, Major Gray wrote: "If on the reorganization of the army I could get a place on the staff with my present rank, it would be a strong temptation to me, though I doubt whether it would be a wise thing to take it and I see no chance of having the opportunity." In July, however, he went north on leave of absence and obtained his discharge without returning.

Mr. Gray's life in the army was for the most part uneventful, and to many would have been tedious, but it was not so to him. Shortly before his resignation, he wrote: "During my army life I have not been lazy, for I can never be comfortable while idle, but my labor has been self-imposed." Always a great reader, during the war he read Latin, Greek, Italian, French, English literature, theology, history, the natural sciences, military science, and law; and he began the study of German and Spanish shortly after leaving the army.

In later life he seemed little of a military or ex-military man. Although he took an interest in military history, European as well as American, he seldom spoke of his experiences in the army and did not care to be addressed by his military title. One of his colleagues in the Law School tells how some of them, after many years' association with him, first learned that Professor Gray was entitled to call himself Major, from a chance visitor addressing him by that title. This apparent lack of interest in his military career was probably due to an extreme modesty which disliked all titles of honor and preferred that the performance of a simple duty in an inconspicuous way should not be treated as a distinction. It was also characteristic of him not to indulge in reminiscences about the past. The Spanish War he always thought unjustifiable; in fact, he hated the mention of it, although he admitted that the mass of the people of the United States were actuated in it by generous motives.

One of the few occasions on which Mr. Gray seemed to remember that he had been an officer was when he expressed his disgust with pension grabbers. He felt the exploits of the grabbers, and the attitude of Congress in currying favor with them, as not only a disgrace to the country, but an insult to the army

in which he had served. His admiration for Grover Cleveland, which came hard to one who had been a Republican all his life till the Blaine campaign, was enhanced by that president's courage in vetoing pension bills.

On returning from the war Mr. Gray formed a partnership with Mr. Ropes, which lasted until the latter's death in 1899. In 1878 the firm was enlarged by the addition of Mr. William Caleb Loring, now a Justice of the Supreme Court of Massachusetts. Mr. Gray continued until his death in active practice as head of the firm, which included at that time eight of his former pupils at the Harvard Law School. In the autumn of 1866 Mr. Ropes and he became editors of the *American Law Review*, then first established, and edited four volumes, from 1866 to 1870.

On December 4, 1869, he was appointed lecturer in the Harvard Law School for the residue of the academic year; this appointment was renewed for the three academic years 1871–74, and on March 18, 1875, he became Story Professor of Law. In 1883 his title was changed to Royall Professor, and this position he occupied until February 1, 1913, when his resignation was accepted and he was appointed Royall Professor Emeritus.

During this period he was publishing his books — *Restraints on Alienation* in 1883, the *Rule against Perpetuities* in 1886. In 1909 Columbia University published a series of lectures on jurisprudence, delivered there by him, under the title *The Nature and Sources of the Law*. A second edition of *Restraints on Alienation* was published in 1895, and a second and third editions of the *Rule against Perpetuities* in 1906 and 1915, all the new editions receiving substantial revision.

On June 4, 1873, Mr. Gray married Anna Sophia Lyman Mason, daughter of the Reverend Charles Mason, Rector of Grace Church in Boston, and granddaughter of Jeremiah Mason, Senator from New Hampshire and rival of Daniel Webster for the leadership of the bar of the United States. He had two children, both of whom survive him, Roland and Eleanor Lyman, now the wife of Henry D. Tudor; and he lived to see six grandchildren.

Professor Gray received the degree of Doctor of Laws from Yale in 1894 and from Harvard in the following year. Among

the honors conferred on him were the offices of president of the Harvard Alumni Association; president of the Harvard Chapter of the Phi Beta Kappa Society; vice-president of the Harvard Law School Alumni Association; member of the Council of Radcliffe College; president of the Boston Bar Association; vice-president of the American Academy of Arts and Sciences; trustee of the Boston Museum of Fine Arts, the Boston Athenæum, and the Social Law Library; he was a member of the Loyal Legion, the Massachusetts Historical Society, and the Massachusetts Military Historical Society. He never held any public office, although he was several times offered a seat on the bench of the Supreme Court of Massachusetts, and once at least that of Chief Justice.

It was in 1896 that Mr. Gray became a trustee of the Museum of Fine Arts, a position which he held through life. In the Annual Report of the Museum for 1915 is a memorial, stating his valuable services to the Museum, in which he is spoken of as having "that wisdom which is born of sympathy and justice."

In these varied activities Mr. Gray continued engaged with little diminution of energy until after the age of seventy. Not before 1912 did he begin to feel the strain seriously. In January, 1913, he resolved to cut down the amount of his work, and accordingly sent his resignation to Harvard College. This measure of relaxation, however, had been too long delayed. The same month, while engaged in the preparation of a case in court, he had a stroke of paralysis. He recovered from this rapidly and was back in his office, though physically feeble, during the spring; next autumn he was actively practising law. In April, 1914, a few days subsequent to the argument of an important case, he had another stroke, after which he never returned to his office. He retained his intellectual faculties, however, until his death, which took place February 25, 1915. Within a few weeks of the end he was not only enjoying conversation with his friends, but working at the revision of his books and expressing opinions on novel points of law.

The most unusual feature of the career thus briefly sketched was the high degree of success achieved in three fields, all related to the law, but requiring different qualities. Mr. Gray was eminent as a practising lawyer, a teacher, and a writer.

He was the leading authority in New England, and probably in the United States, on the law of property. His opinions on questions in that branch of the law have had more weight with the bar in other states than those of any person except perhaps their local leaders, and by many lawyers, at least in states where the common law prevails, they have been regarded as of the highest authority without even such exception. His practice, however, was not confined to a single part of the law, but took a wide range. He had a plain common sense and a shrewdness in dealing with practical affairs such as are seldom found in combination with great technical learning.

Mr. Gray avoided rather than sought cases in any way notorious. He always endeavored to prevent litigation, and the nature of the questions on which he was an authority was such that most of the cases in which he was engaged, even when they involved large private interests and important questions of law, did not attract public notice. A great part of his time, however, he spent in business of public interest, acting as counsel to churches and educational institutions. He was an authority on the law of charities, which includes, in legal parlance, all religious and educational bodies of a public character. Among the institutions by which he was consulted were St. Paul's Church, Trinity Church, King's Chapel, Harvard College, the American Academy of Arts and Sciences, the Boston Athenæum, Phillips Academy in Andover, and the Worcester Art Museum.

For St. Paul's Church he argued the case of *St. Paul's Church* v. *Attorney General* (164 Mass. 188), which decided important questions in the law of charities, and he also acted as counsel at the time of the transformation of the church into St. Paul's Cathedral. For Trinity Church he argued the case of *Sears* v. *Attorney General* (193 Mass. 551), which finally removed the long-standing doubts, arising from some incidents in the ecclesiastical history of this commonwealth, whether a gift devoted to religious uses, in connection with a particular church, is a public charity. In 1907 he was consulted with regard to the conveyance of King's Chapel to trustees. As was natural, he frequently advised Harvard College, and he argued for it the case of *Dexter* v. *Harvard College* (176 Mass. 192), in which the validity of bequests for scholarships,

with a preference for the founder's kin, was sustained. In 1894, when Radcliffe College received its present name, he took an important part in the reorganization, being the author of the arrangement by which the President and Fellows of Harvard College became the Visitors of Radcliffe. On several occasions he advised the trustees of Phillips Academy in Andover, the corporation by which the Theological Seminary as well as the Academy is conducted; and he argued for them the case of *Smyth* v. *Phillips Academy* (154 Mass. 551), growing out of the famous controversy in which the Visitors removed Professor Smyth for heresy. At the time of the removal of the Andover Theological Seminary to Cambridge, and its affiliation with Harvard University, he was consulted by the latter. For the Worcester Art Museum he conducted the protracted litigation with respect to the great bequests of Stephen Salisbury, reported in *Hubbard* v. *Worcester Art Museum* (194 Mass. 280; 179 Federal Reporter, 406; 220 United States, 605; 196 Federal Reporter, 871). In the suits with regard to the land on Boylston Street occupied by the Massachusetts Institute of Technology — *Wilson* v. *Massachusetts Institute of Technology* (188 Mass. 565) and *Massachusetts Institute of Technology* v. *Boston Society of Natural History* (218 Mass. 189) — which touched upon matters of public concern in addition to the interests of the charity, he appeared for the persons opposing the Institute. The argument of the latter case in March, 1914, was the last occasion upon which he went into court.

Mr. Gray's practice was not confined to Massachusetts. He was frequently consulted by clients in other states, particularly Rhode Island and Pennsylvania. In the latter state he was of counsel in the case of *Franklin's Estate* (150 Pa. 437), concerning the will of Benjamin Franklin. His opinion was frequently sought in the Hawaiian Islands, where the law follows closely that of Massachusetts, perhaps because missionaries from here played a prominent part in their settlement. The first case in those islands in which the rule against perpetuities was applied, involving a very large amount and interesting questions of law, was argued by him in the Supreme Court of the United States — *Fitchie* v. *Brown* (211 United States, 321). His high reputation outside of his special subject and beyond New England was shown by the fact that in the summer of 1907, by

invitation of counsel on all sides, he went to Chicago to act with Judge Grosscup as arbitrator in matters connected with the reorganization of the street-railway system in that city.

He was successful in the management of property and was trustee of many estates.

Mr. Gray's reputation for learning and sagacity has been mentioned. He enjoyed a still more enviable reputation for fair-mindedness. Many intend to be fair-minded; fewer have the mental poise which enables them, in the heat of conflict, to avoid even the appearance of the slightest injustice toward their adversaries. With this rare quality was joined a courtesy which exceeded the demands of professional etiquette and made even his opponents feel that it sprang from the kindliness of his nature. His reputation as a lawyer and as a man was such that it illustrated, on a high plane, the proverb that "Honesty is the best policy." Even unscrupulous lawyers seldom wished to take advantage of him. Nor would anyone have ventured to try to do so; for not only was Mr. Gray well able to take care of himself, but an opponent knew that, if a question arose as to fair dealing or courtesy, the bench, the bar, and the opponent's own client, would assume that Mr. Gray was in the right. It was significant also of Mr. Gray's reputation in the community that people brought to him disputes which they wished to keep out of court, or to have conducted in court with as little friction as possible. For this reason he was employed in many family matters which did not involve those points of law on which he was an authority. And it showed his kindliness and delicacy, as well as his fair-mindedness, that in family quarrels he always retained the respect and often gained the increased good will of both sides.

Although Mr. Gray's career as a practising lawyer was distinguished, he was still more widely known as a teacher and a writer; and those activities stood first in his own mind. When he declined a judgeship, it was chiefly because of his devotion to the Law School and his purpose to write on topics which had early attracted his interest. Writing was, of course, consistent with teaching. But President Eliot and Dean Langdell doubted whether practising and teaching could be successfully combined. Mr. Gray would have been made a professor earlier

than he was if he had been willing to give up his practice. He refused an appointment offered with that condition, because he wished to continue in practice and believed that he would be the better teacher for doing so; and finally he was made professor on his own terms.

Professor Gray began to teach at the Law School before Dean Langdell came to it, and he had the longest period of service of any teacher there. At the time of his resignation, all the instructors had been his pupils. President Lowell has called him "the last of the great figures that made the reputation of the Law School in the last forty years"; he was also the first of them to begin work there. In his early years he taught a wide range of subjects: Evidence, Conflict of Laws, Bankruptcy, the procedure of the Federal Courts, and all branches of the law of property; later he confined himself to the law of property, except during a brief period after the death of Professor Thayer in 1902, when he taught Evidence and Constitutional Law, and excepting also some lectures on jurisprudence.

Among a faculty distinguished for their success in teaching, Professor Gray was one of the favorites with the students. In the classroom he combined the practical with the theoretical, striking a happy medium between too much speculation on what the law ought to be and the mere recital of precedents. Yet the kindliness of his character and his evident desire to help his pupils counted for more in his success than any method of teaching. He took unusual pains to encourage the students to talk with him. Naturally rather reserved, he showed the friendliness of his disposition most easily to younger men. His sense of humor, also, and his total lack of affectation made his teaching attractive. Though he taught a highly technical subject for so many years, his mind never lost its flexibility; he could always take a new point of view and was frank to state a change of opinion. This was characteristic of him both as a teacher and a writer.

Professor Gray disliked theories of pedagogy; in matters of education he declared himself an empiric. As he grew older he more and more avoided stereotyped methods and in later years used no lecture notes except brief annotations in the margin of the case book. The substance was in his head; the form largely extemporaneous. In one of his addresses to

his old pupils, he spoke of his own attitude toward the teaching of law, in words which help to explain his own success:

> I have never been able to share the feeling of those who regard the law as simple, who say that if you can only get hold of a few fundamental principles all is easy. Law is as complex as life. However often I may have been over a subject, I never go over it again without coming across questions, analogies, that I never saw before.
>
> Some of my colleagues in the College (none in the Law School, I never heard such things there) are in the habit of lamenting that they have so much of the drudgery of teaching that they have no time for original research. They have never won much pity from me. They are like the English officer who said that the army would be a very good profession for a gentleman were it not for those damned soldiers. A teacher who has not allowed his wits to be dulled by routine, will find plenty of matter for research in his daily work.

In his long course of teaching Professor Gray was an inspiration to more than a generation of lawyers, over every part of the United States. His influence even extended across the Pacific; for a large number of Japanese passed through the School. With one of these, Viscount Kentaro Kaneko, at one time a minister in the Imperial Government, he kept up a familiar correspondence.

Near the end of his life, Professor Gray dedicated his book, *The Nature and Sources of the Law*, "To his old pupils whose affectionate regard has been to him a life-long blessing, from their grateful master." In a man so free from affectation as Professor Gray, these words are proof of the mutual feeling which existed.

Although perhaps best known as a teacher, Professor Gray was in some respects even more widely known as an author. His books on *Restraints on Alienation* and the *Rule against Perpetuities* are the principal, and indeed the only complete treatises on their subjects in this country and in England. The *Rule against Perpetuities* enjoys an even higher reputation in England than here. Only a few American authors have been cited frequently by English courts. Of these, Judge Story, and possibly some others, may have been oftener mentioned than Professor Gray. But it is believed that no other American legal writer has been treated as an authority of such weight. And this is the more remarkable because the abstruse parts of

the law of property are more familiar to the bench and bar in England than in the United States. A living American writer in a domain peculiarly English has been accorded a degree of respect paid to few modern English authors. Indeed, an English specialist on these topics, who differs from Professor Gray on several points, has feelingly complained that "the tendency of our judges is to regard him as orthodox, if not infallible," and in another place says that his work on Perpetuities "has the proud distinction of having influenced the decisions of our Courts." It has been cited as authority in reported cases over the whole English-speaking world from Manitoba to New South Wales and New Zealand.

The subjects of these two books are narrow and in a sense technical. The author deliberately chose restricted subjects in order to allow thoroughness of treatment; and his thoroughness has seldom, if ever, been equalled. Other law books have discussed a subject fully from the historical and theoretical sides, though American writers have not usually reached as high a standard in this respect as have the English; but few indeed have dealt exhaustively with the cases all over the English-speaking world. Moreover, the topics treated, though technical, are not mere survivals from feudalism, like some of the existing doctrines as to land; they are rules of public policy, which must exist in some form as long as there is private property. To some, perhaps, these books may appear full of antiquities and of logical refinements; but this is not true to any greater extent than the subjects require. Professor Gray was never distinctively an antiquarian, nor a lover of subtle reasoning for its own sake. He had always an ethical purpose in writing his books — to make the law a better instrument, to remove defects (as he phrased it) which "lessen its value as a guide to conduct." Such a purpose was emphatically expressed in the preface to the second edition of his *Restraints on Alienation*, in a passage which incidentally gives a good example of his style:

> The people of the United States have many virtues, but all nations have their failings, and there are passages in the history of every country which it is painful for its citizens to contemplate. In our own history, political and social, the pages from which we most gladly avert our eyes are those which record our shortcomings in the matter of commercial honesty.

More than once have we been saved from national repudiation by the integrity and courage of some one man; to save from State repudiation the one righteous man has at times been wanting; and more rehabilitated cheats have lived tolerated, if not honored, in our cities than it is pleasant to think of.

If there is one sentiment, therefore, which it would seem to be the part of all in authority, and particularly of all judges, to fortify, it is the duty of keeping one's promises and paying one's debts.

Nor could it be said that the highest tribunal in the country had been wanting in this matter. Not long before, it had strained its jurisdiction to the uttermost to compel defaulting towns and counties to pay their obligations; and it had recently declared that no interest in property could "be so fenced about by inhibitions and restrictions as to secure to it the inconsistent characteristics of right and enjoyment to the beneficiary and immunity from his creditors."

When, therefore, the Supreme Court went out of its way to announce that it now repudiated its former doctrine, and that it wished it to be known that property could be so fenced about as to secure to it the characteristics of right and enjoyment to the beneficiary and immunity from his creditors, the words came to many persons with a shock. Nor was the shock lessened when the Supreme Judicial Court of Massachusetts, pushing the new doctrine to its extremest limits, held that a man's interest in trust property could be protected from his creditors by simply saying that it should be.

I have written other things, for one motive or another, but this essay wrote itself. While I was musing, the fire burned. *Vae mihi si non evangelizavero.*

These two books are of interest to no one except lawyers, and not to every lawyer. But when Professor Gray was seventy years old, a series of lectures of his was published by Columbia, which showed that nearly half a century of study of dry legal doctrines had not prevented him from taking a broad and untechnical view of the law as a whole. This book on *The Nature and Sources of the Law* is of interest to every educated man. The acute reasoning and deep learning of the book were to be expected from a lawyer of such reputation, writing upon such a subject. Its singular distinction is its readability. A reviewer in an English legal periodical characterizes it as "a book which bears in every page the marks of thorough and independent thought clearly expressed, and is yet one which can be read in an

easy chair with a pipe in one's mouth and one's feet on the fender." And this is true for others than lawyers, for there is in it very little technical phraseology.

The late Dean Thayer of the Harvard Law School, one of the most brilliant of our younger lawyers, wrote to Professor Gray: "Your ability to put questions of jurisprudence to the test of a homely illustration brought about almost a magical clearing of the air. This ability (added to clear thought and common sense and real learning) is certainly a new thing among English writers." With Professor Gray this method was deliberately and constantly employed. In his preface he expresses his conviction that "the use of homely expressions and examples helps one to keep a grasp on the facts of daily life, the loss of which is the chief danger of the moral sciences." Indeed, this quality of intelligibility not only adds to the usefulness of the work by increasing the number of those who can understand it, but tends to show the correctness of its conclusions. Every one ought to be able to understand the nature of law without being a lawyer or professional philosopher. Only common sense and a knowledge of facts familiar to every educated man are necessary. A correct theory on such a matter may be expressed in difficult language; but this is not necessary. Difficult language constantly serves to hide fallacies which could easily be perceived if expressed in plain terms and illustrated by familiar examples. That a theory, on the other hand, lends itself to a mode of expression intelligible to the ordinary man, is evidence in favor of its truth.

Professor Gray also published two editions of a collection of *Cases on the Law of Property*, with notes, in six volumes. These case books are now used in the law schools of Harvard, Yale, the University of Chicago, the University of California, and twenty more institutions from Georgia to the State of Washington; and they have had an influence on the profession apart from their use in instruction. He accomplished much other work of an editorial character. While assisting Mr. Albert G. Browne as Reporter of the decisions of the Supreme Judicial Court in volumes 100 to 111 of the Massachusetts Reports, he did the principal part of the work in most of those numbers. In 1868 he prepared an edition of *Story on Partnership*. He wrote occasionally, though not very frequently, for legal peri-

odicals; but the most important of his contributions were subsequently embodied in his books.

Mr. Gray's interests apart from his work were mainly intellectual. In his vocation and in his avocations he illustrated the belief which he once expressed to a company of students, that there is "no surer and more unfailing source of happiness than the disinterested love of knowledge." He was a great reader at all times, even while in the midst of hard work. Though he made no pretensions to profound scholarship, he continued to read Latin and Greek all his life, and his library contained a nearly complete collection of the classical authors, including many little known works. He was familiar with a wide range of literature in several modern languages, with history, especially military and ecclesiastical, with books of travel, and with theology, particularly old controversial, casuistical, and ceremonial works. He also took an interest in many branches of science. In vacation his favorite recreations were mathematics and botany; but neither to these nor to any other hobby did he ever sacrifice the work of his profession.

He knew something about art, especially perhaps in its more intellectual aspects. Engravings peculiarly interested him, partly because a taste for them was transmitted in his family, partly perhaps as the product of a refined and intellectual form of art.

Though by nature reserved, Mr. Gray was never unsociable, and as he grew older he liked more and more to see people. He dined out often, and belonged to many dinner and supper clubs from which he derived much pleasure. He was always in demand in society; and his conversation was enjoyed by all ages and all sorts of people. One of the principal reasons for this was that he always found something to say about the subject in which the other person was interested, and never seemed to be thinking of himself. Indeed, people often wished he would speak more of his own experiences and opinions. Usually he seemed to avoid expressing an opinion on matters which might raise a discussion. In many cases this was not because he had no opinions on the subject, but because he had decided opinions which he did not care to discuss. He had a strong temper, under admirable control, together with a very

gentle disposition; the combination made him shun all unnecessary disputes.

From what has been said it is evident that Mr. Gray's success in life was very largely due to his character as well as to his abilities. In his character perhaps the most conspicuous qualities were the sense of justice, moral and intellectual conscientiousness, kindliness, and modesty.

He possessed a notable faculty for reaching the just conclusion in the settlement of controversies. It was in private life, however, that he showed the quality of justice most admirably. His affections and many of his prejudices were strong; but they never overcame his sense of justice in his treatment of others. And in his speech he was not only just but charitable; he was reluctant to judge at all.

Conscientious in daily life, without suffering from the New England perversion of the quality, he combined in his work a scrupulous regard for the rights of others with an abstract love of truth. Beyond the right of his client, his pupil, or his reader, to have the law stated as correctly and as clearly as the utmost pains could accomplish, lay an inner necessity to make every conclusion as accurate as possible. He was always anxious to acknowledge his own errors, and he would never sacrifice clearness of statement, or the truth as to the actual state of the law, in order to appear original or subtle. It was notable also that although his mind was eminently capable of logical and metaphysical subtleties, as well as purely antiquarian researches, and he occasionally indulged in such pursuits as recreations, he seldom spent much time on them. Regarding the law as a practical science, a guide to conduct, he devoted himself to matters bearing on it as such. Elaborate reasoning and exhaustive historical research are found in his works, but only so far as he deemed them indispensable to the thorough consideration of present questions of law.

Kindliness was at the root of the dignified courtesy and charm of manner which distinguished him. In his case tact sprang from the same source. His success as a teacher and his peculiarly enviable reputation as a practising lawyer were largely due to these qualities.

A man who undertook such heavy tasks in so many fields as did Mr. Gray could not lack confidence in his own powers;

yet he was genuinely modest. What he took in hand he accomplished, but usually he was more apt than anyone else to find ground for criticism in the results. He cared nothing for the praise of people in general. The personal respect and affection of his friends and of his past and present pupils he valued. But with regard to his work, he preached and practised the principle that the only good opinion worth having was that of those qualified to judge.

That good opinion he won in abundant measure, and he was peculiarly fortunate in having so large a number of those among whom he lived and worked come under his personal influence at the beginning of their careers, thereby gaining not only their admiration for him as a master in the law, but their affection for him as a man.

JUNE MEETING, 1916.

THE Stated Meeting was held on Thursday, the 8th instant, at three o'clock, P. M.; the second VICE-PRESIDENT, Mr. WARREN, in the absence of the PRESIDENT, in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library since the last meeting.

The Cabinet-Keeper reported the following gifts:

From Edward Gray, a half-tone of a miniature of Samuel Gray (1760–1816) in the possession of Mrs. George Audenried.

From George Bucknam Dorr, colored lithographs, sheets 1 and 2, of "The Defenders of our Union," published by Korff Brothers, New York; and a pen-and-ink sketch of the side-wheel steamer, the *Worcester*, showing the letters "U. S. M." on her flag.

From Mrs. Kingsmill Marrs, a photograph, enlarged from a stereoscopic picture, March, 1872, of Prof. Calvin E. Stowe, Mrs. Harriet Beecher Stowe and Misses Harriet and Eliza Stowe, at Mandarin, Florida; also a bronze Allied Relief Medal, 1916.

From Dr. Warren, a photograph of a painting in his possession, made in 1851, showing a view of Boston and the Back Bay looking over the Brookline Reservoir from the summer house of Dr. John C. Warren. The picture bears the initials, not quite definite, "J. W. A. S.," which point to John White Allen Scott, a Boston artist (1815–1907), one of whose views of Boston was engraved in 1854.

From Mrs. Henrietta Wise Downes, of Hingham, a Franklin Medal, in silver, awarded by the School Committee of Boston in 1804 to her grandfather, Edward Everett, at the North Grammar School.

A section of the beam that supported the rostrum in the Senate Chamber of "Congress Hall," Philadelphia, occupied by Congress, 1790–1800.

From Mr. Norcross, a bronze medal of the Sons of the American Revolution, 27th Congress, Newark, N. J., 1916.

The Recording Secretary, in the absence of the Corresponding Secretary, reported the receipt of letters from Francis Apthorp Foster, accepting his election as a Resident Member of the Society, and from George Macaulay Trevelyan and Charles Downer Hazen, accepting their election as Corresponding Members.

The Editor announced the following gift and accession of manuscripts.:

From Mr. Charles P. Bowditch, six letters from Timothy Pickering, Secretary of State, and one letter from James McHenry, Secretary of War, written in 1798 to Rufus King, United States Plenipotentiary to Great Britain, and describing the political situation of the United States at a critical time in its history.

From Mr. Justin H. Smith, a volume of transcripts of letters on the Canadian Expedition, 1775–76, drawn from the Carleton papers and contemporaneous newspapers.

From Miss S. M. Clarke, a number of treasury papers, containing among others: warrants on the Massachusetts treasury, signed by Bernard, Gage, the Council and Governor, 1763–1812; military receipts, bounty notes, 1777–78; Loan Office Notes, 1777, and wolf bounties, 1786.

By purchase, a Day Book, 1765–67, Invoice (1766) and Day Book, 1776–80, and Memorandum Books, 1784–90, of Joshua Pico, a merchant of Boston. The interest lies in the list of Boston names and prices of commodities.

The Recording Secretary reported, for the Council, the appointment of Prof. Theodore C. Smith as the representative of the Society in the commemoration of the original settlers of West Hoosac, at Williamstown, June 19.

Mr. Henry Osborn Taylor, a Corresponding Member, read a paper on "The Fifteenth Century and the Middle Ages."

Mr. SANBORN read a paper on

A MYSTERY IN THE EARLY LIFE OF HECTOR ST. JOHN.

The elder members of this Society may remember that, some ten years ago, I brought to their notice some important facts in the life of that Norman noble, contemporary with George Washington, whom he greatly admired, Michel Guillaume St. Jean de Crèvecœur, who had the whim of calling himself an "American Farmer" — as in fact he was for a dozen years, in

Orange County, New York.[1] He also called himself Hector St. John; but that may have been his true original name — as indeed he assured Dr. Franklin it was. His book, the *Letters of an American Farmer*, first published at London in 1782, became at once, in its abridged English form, one of the most popular books of its day, and was translated and read in most of the countries of Europe. He fathered a French version of it himself and enlarged it to twice its original size in 1784–87, adding, omitting and altering its tone in spots. To these three French volumes he added in 1801 three more, in a French edition, which have never been translated, though many of their chapters richly merit it.

A great-grandson of this St. John de Crèvecœur, as he finally called himself, published in Paris in 1883 an authentic life of him, of which a few copies were sent to the United States, but escaped the notice of those historians of American literature who had imperfectly described him when they mentioned him at all. One of these, Prof. W. P. Trent of Columbia University, had given his name as introducer to a new American edition of the faulty English book of 1782, which was brought out in New York, with the addition of a few letters of Crèvecœur, which had come to light in Philadelphia, and the volume came to me for review. I had become familiar with the family biography and with the French volumes of the Letters,[1] and I wrote a review, pointing out how little its New York editor knew about the author he was editing. But perceiving that it was a sin of ignorance, and surmising that Professor Trent had never seen the Paris biography, I thought it due to the good faith that should exist among scholars to send him a copy of my review before publishing it.

I was already in correspondence with the family in Paris and was importing ten copies of the family biography, which was sold only by the widow of the biographer. Professor Trent took my notice in good part, ordered two copies of the Paris volume — *Saint John de Crèvecœur, sa Vie et ses Ouvrages* — and called the attention of one of his post-graduate students, Miss Julia Post Mitchell (of the Nantucket Mitchell family) to the field of inquiry which this whole subject opened. Miss Mitchell took up the inquiry, about 1907, and pursued it with

[1] 2 *Proceedings*, XX. 32.

zeal for years. Her volume, an English life of St. John, is now in press at New York, and I have read the proofs. I hoped to have it here to-day. It contains full statements on the disputed points in St. John's career; but its most interesting pages refute the family theory that he came to Canada and served as a soldier — an officer, indeed — in the army of Montcalm. The evidence is as follows:

Late in the year 1772, long after the close of our French and Indian war, the family of St. John, through the French ambassador in London, made the request of the British government that they would furnish his father with a certificate of the life or death of his son, last heard from in 1767, who is thus described in this French document, rather freely translated by me:

> He is called Michel Guillaume Jean de Crèvecœur (often styled de St. Jean, or de Jean). He is of noble birth at Caen, the capital of Lower Normandy, and is nearly 38 years old. His height is (French measure) 5 ft. 4 in.; he is well made, well set up, and well proportioned. His hair is red; he used to wear a periwig; he has fine brown eyes, with eyebrows dark and thick; his face is rather long, yet full; his skin fair, but much spotted with freckles. His forehead is open and fine, his nose rather long; his freckles small like specks of bran; they show on his hands, which are sprinkled with them. His frame and joints are large, but rather lean.
>
> Leaving France for England, 18 years ago (1754), he first lived with some old maids named Mutet, in the town of Salisbury. Through them he became acquainted with persons who have business in Philadelphia, and for 8 or 9 years he lived in Pennsylvania, in the city of Philadelphia [this would bring him about to 1763]. He was there in the capacity of a partner or agent of a merchant, whose name and kind of merchandise is unknown; and the last heard from him was in 1767. He must know English very well — at least he professes to do so. It is unknown whether he is married, or if he has been; we only know that shortly after he reached England he was to marry the only daughter of a merchant, but she died before marriage; and it was this fact that procured for him the interest he has in Philadelphia.
>
> Important family concerns require the information here sought; and it is hoped it can be furnished to the French ambassador.

This document gives a very probable account of the young man's coming to America and makes it improbable that he

was the Lieutenant Crèvecœur in the French regiments in Canada.

In the family biography it is assumed that the two Crèvecœurs were identical; but Miss Mitchell finds no evidence of this and the family profess not to know the date nor the way by which our St. John (as he always called himself before 1781) reached Canada. They have a tradition that he was in Lisbon after the great earthquake of 1755. At that time, according to this statement made by his father through the French ambassador, St. John was living in England, having gone there in 1754. He says himself, in one passage, that he went there in 1751. He evidently did not go to Philadelphia as a merchant before 1758, and he went there from England and not from Canada. There is no evidence that he was in Normandy between 1754 and 1781, and he was plainly at variance with his father on some point for years. Probably it was upon the point of his marriage in England with a person not of his own rank nor of his father's Catholic religion. He did actually marry, in New York, a French Protestant, Mehitabel Tippet, whom he may have been wooing in 1767, when he finally broke off communication with his father in Normandy.

He got naturalized in the colony of New York in 1766, when he had apparently no intention of returning to live in France. He was married in 1769, and in 1772, when his father asked a certificate of his life or death, he was cultivating his farm in Orange County, which he bought in 1769 (120 acres for $875, with a good house) under the name of Hector St. John, of Ulster County, "gentleman." He sold it in 1785, under the same name, for $1250, but he then signed as "St. John de Crèvecœur."

Now what were the "exigent family concerns" which made his father desire a certificate of his life or death? Apparently a wish to establish his own title, as Marquis de Crèvecœur, to the fief in Normandy which had usually gone with the title. It had so gone to the two uncles of Hector St. John, who were older than his father. If the Marquis of 1772 could show that he had then a son living, capable of continuing the entail, the property, as well as the title, might come to St. John's father. For private reasons, which then seemed good, St. John wished to keep his marriage from the knowledge of his father; later,

for reasons equally good, he wished to establish the fact of his legal marriage in New York, and the legitimate birth of his three children, two of whom, Fanny St. John and Philippe Louis, were educated in Boston, as I showed in my paper of 1906.

Mr. NORCROSS communicated the following letters of Joseph Willard :

To JOHN WARREN.

BEVERLY, August 27, 1781.

SIR, — By the direction of the American Academy of Arts and Sciences, I have the happiness of acquainting you, that the 22d of this month, you were elected a Member of that literary Body. I am persuaded, Sir, that the Fellows of the Academy gave their suffrages with great pleasure, and from your known character, are happy in the prospect of receiving much assistance from you, in prosecuting those plans, which may make this Institution of great public utility. We are persuaded of your great ability, and we have no doubt of your inclination to promote those valuable ends for which the American Academy was founded, and which it is to be hoped all the Members will invariably pursue.

You will join me, Sir, in wishing this Society to become extensively useful to mankind and an honor to our country, and I think it cannot fail of it if the designs of the Institution are properly pursued. I am, Sir, with Sentiments of great esteem your very humble servt.

JOSEPH WILLARD
Cor: Sec: Amer: Acad:

To JOHN TRUMBULL.

CAMBRIDGE, Novr. 14, 1799.

SIR, — The Corporation of Harvard College, some months ago, received your valuable and acceptable present of impressions of two of your interesting Prints, in elegant gilt frames, through the hands of Mr. Paine. Enclosed is a vote of thanks passed by the Corporation.

I have to make my apology, Sir, for not transmitting this vote sooner. Such has been my ill state of health for a long time past, that I have been able to attend to scarcely any business in my office, and when not absolutely confined, I have been journeying, as I could bear it, for the recovery of my health. I have just returned from a long journey, and through the favor of divine Providence, I

have so far recruited, as to be able again to attend to the principal part of the duties of my station.

I hope, Sir, for the reasons I have mentioned, you will excuse the *seeming* neglect, with which you have been treated: I say *seeming;* for whatever the appearance may have been I am conscious of having felt the greatest gratitude to you for your attention to this University. And give me leave, Sir, now to present my sincerest thanks for the very obliging terms in which you have spoken of it, your wishes for its prosperity, and the readiness you have manifested to promote its interest. I have the honor of being with sentiments of great esteem, Sir, your very humble servant,

JOSEPH WILLARD.

ENCLOSURE.

At a meeting of the President and Fellows of Harvard College, March 7, 1799.

Voted, that the thanks of this Corporation be given to Colonel John Trumbull for his kind and generous attention to this University in presenting, in genteel frames, *Impressions of two valuable and interesting Prints* lately published by him; and they beg him to accept their acknowledgements for his polite and affectionate letter accompanying the Present.

Copy. Attest,

JOSEPH WILLARD, *President.*

On these Trumbull prints Mr. LANE, with this letter before him, writes:

The two engravings from Trumbull's well-known paintings of the Battle of Bunker Hill and the Death of Montgomery, which were presented to the University by the artist in 1799, hung in the Librarian's Office in Gore Hall as far back as I can remember, probably from the time the new eastern wing was built in 1877. Where they were to be found before that, I cannot say, but it is altogether likely that they were in the old small Reading Room of Gore Hall, the use of which was discontinued at that time. Both engravings have become a good deal darkened by age, and one — the Battle of Bunker Hill — is also, I regret to say, somewhat water stained. The frames in which they have been are, I have no doubt, the original ones referred to in the Corporation's vote. I knew nothing of the history of the pictures until my attention was called to the letter of President Willard, offered for sale in New York. I had been inclined to discard the frames as old and battered, and to put the pictures away in a portfolio. Now that I know their history, I shall

have the frames repaired, and the pictures hung somewhere in the Library.

Dr. WARREN communicated the following records of

THE SOCIETY FOR THE STUDY OF NATURAL PHILOSOPHY, 1801–1803.

Whereas a society has been formed, in Boston, in the County of Suffolk, and Commonwealth of Massachusetts, for the purpose of cultivating, among its members, the Science of Natural Philosophy, by the Name of The Society for the Study of Natural Philosophy. And whereas, for carrying into effect the purposes of said Institution, an Apparatus and Library will be necessary. Now Know All Men by these Presents, That we, whose names are hereunto subscribed, and whose seals are affixed, do agree to pay into the hands of the Treasurer, of said society, whenever thereto required, the several sums, and to take the several shares, written against our names, respectively, and further that We do, each of us, Covenant, severally, and not Jointly, for himself, his heirs, executors and administrators to and with the President of said society, for the time being, and to and with every person, who may hereafter successively be President thereof, that the sums, so subscribed, and the interest, each has, respectively, in the Capital Stock, hereinafter mentioned, shall be at the entire disposal of the society, subject, however, to the following rules and principles, to all which each binds himself to adhere, under penalty, upon refusal to adhere, of forfeiture of all his interest therein, for the benefit of the remaining members of said society.

First. The said Books and Apparatus shall be considered as a Capital Stock, which shall be divided into shares, to be valued at the time of Subscription, at Ten Dollars each, and the number of shares an individual holds shall ascertain his proportion of interest, in said Capital Stock.

Second. The said Society may, at any time, dispose of the whole or any part of said Capital Stock, and appropriate the proceeds to the purchase of such other books and apparatus, as it may deem expedient.

Third. The books and apparatus shall be always free of

shall be considered as having any interest or property therein or shall be entitled to any compensation therefor.

In witness whereof We, the subscribers have hereunto set our hands and seals this fourth day of December in the year of our Lord One Thousand Eight hundred and One.

Names . . . . . Seals . . . No of Shares

Signed, Sealed and delivered in presence of

Wm Davis. $100 Ten Shares

W. Emerson. $50. Five Shares

W Frazier $100 Ten Shares

Jackson $50. Five Shares

John Thornton Kirkland $50. Five Shares

John S Popkin $50. Five Shares

Josiah Quincy $100. Ten Shares

Timo Williams $100. Ten Shares

John Quincy Adams. $100. Ten Shares.

Decem 9. 1802

John Lowell $100 Ten Shares

Feby 4th 1803

John C. Warren $100 Ten Shares

Witness: H Swarzer

Sept 27 1805 Benj Pierce Twenty Shares

Witness: Thos Parkman

June 3. 1806 Henry Higginson $100. Ten Shares

Witness: Thos Parkman

18th March 1806 Allan Pollock $50. Five Shares

Boston. December 3. 1802

It being considered necessary for the advantageous prosecution of the Objects of the Institution to increase the Funds of the Society, particularly for the purpose of purchasing a Chemical Apparatus — The Subscribers agree to take the additional number of Shares annexed to our Names —

$30 — Wm. Davis 3 Shares.
$100 Timothy Williams 10 Shares
$100 — Josiah Quincy 10 Shares.
$50 John Q. Adams. 5 Shares.
$50. James Jackson — 5 Shares —
$100 Wm. Lowell — 10 Shares —

Subscribers names to the within instrument continued — Names — Seals — No. Shares.

signed sealed & delivered in presence of us,
Josiah Quincy
W. Emerson, with[out] to the signing of Mr. Jackson Mr. Sullivan, and Mr. Channing

Witness to J. Hays Signature
Wm. E. Channing

Witness
Josiah Quincy

Witness
Josiah Quincy

Witness
J. Warren

Witness
J. Warren.

Thos. H. Howard — $50. 5 Shares
C. L. Jackson — $100. ten Shares
W. Sullivan — $50. five Shares
Wm. E. Channing — $50. five Shares
Judah Hays — $50 five Shares
Francis C. Lowell — $200 Twenty Shares
W. Sullivan — $200 Twenty Shares
Richard Derby Junr — 100 $ Ten Shares
John Gorham — 50 $ five Shares

access to every member of the society, but no person, who is not a member shall have access to them, without permission of the society. Nor shall any interest, or share, in said capital stock, be capable of being transferred to any person, who is not a member.

Fourth. In case of the death, exclusion, or voluntary resignation of any member, all his interest, in said capital stock, shall vest in the society. And the society shall pay the executor, or, in the last cases, the party, the market value of his interest; and, in case of any dispute, concerning this value, the same shall be decided finally, by referees mutually chosen; and in case such executor or proprietor shall refuse to nominate or agree upon referees, the society may, after notice given to such proprietor or executor, proceed to elect three disinterested persons, as referees, whose decision shall be final and conclusive, between the society and the party interested, and upon payment or tender of the sum so awarded, by any authorized agent of the society, all the interest and shares of such individual shall vest in the society, and shall be subject to its disposal, in any manner it may deem expedient.

Fifth. In case of the death, resignation or exclusion of any member or members, it shall always be at the election of the remaining members of said society to take his or their shares, in the manner and upon the terms specified in the last article, or to make sale, in any manner they may think fit, of the whole of said library and apparatus. In which last case the said member or members, excluded, resigned or the representatives of those dead, shall receive his proportion of the proceeds of such sale, in full of all his right, in said library and apparatus, and of all demands upon said society.

Sixth. All donations made to said society shall be subject to the exclusive disposal of its members, and no person, who shall, by death, resignation or exclusion, cease to be a member thereof, shall be considered as having any interest or property therein or shall be entitled to any compensation therefor.

In Witness Whereof We, the subscribers have hereunto set our hands and seals this fourth day of December in the year of our Lord One Thousand Eight Hundred and One.[1]

[1] For signatures see plate.

Report of the Committee for Revising the Constitution.

The Committee appointed to consider what measures can be adopted to promote the objects for which the Society was instituted have attended to that business, and beg leave to offer the following plan for the conduct of the Society in future.

1. There shall in future be a committee of five chosen annually, who shall manage the affairs of the Society. This committee shall oversee and direct the arrangements respecting the lectures, and shall dispose of the funds as they think proper for the use of the Society. It shall be their duty to keep in view the proposal which was before the Society the last autumn for a more extensive Institution, which may embrace the objects of this Society. The President of the Society shall ex officio be chairman of this Committee, and shall have a casting vote, when the other members of the Committee are equally divided on any question, but it shall always be in the power of any two members of the Committee to refer any question to the decision of the Society. The Committee shall keep a record of their doings, which shall always be open to the members of the Society.

2. The right of electing members shall remain with the Society as heretofore.

3. There shall be a lecture of one hour in length at every meeting of the Society. Lectures shall be given on natural experimental philosophy throughout the year. Lectures shall be given on Astronomy and on Botany from April 1 to October 1, Lectures on Chemistry and on natural animal history from October 1 to April 1.

4. As many and such persons as the Standing Committee may think proper shall be elected by the Committee to lecture on each of these branches. Every gentleman when elected shall declare whether he accepts the office given him; if he does, he shall inform the Secretary in writing how many lectures he will deliver. The lectures shall be given in rotation by the members who may be at the time engaged to give them, and every person engaging to give lectures will be considered as pledged to give his lectures at the proper time unless very

important business or ill-health should prevent — in which case if time permits it will be expected that he exchange with some other lecturer.

5. All these and other arrangements connected with the lectures shall be under the direction of the Standing Committee.

6. The semiannual assessments shall in future be four dollars on each member of the Society.

7. A person shall be employed to take care of the room and apparatus, and to render assistance to the lecturers, that their time may not be employed in any preparation which can be made by an ignorant person.

8. If the foregoing plan be adopted, the Committee propose that a Standing Committee be now chosen to serve till the first meeting in December next, and that at the first meeting in every December a Standing Committee shall be chosen for the year ensuing; also that lecturers shall as soon as may be, be elected for the ensuing year, and hereafter at the first meeting of the Standing Committee in every March.

JAMES JACKSON, *Chairman.*

JAMES JACKSON TO REV. MR. EMERSON.

August 9, 1803.

SIR, — It is not [in] my power at this distance of time to give you all the proceedings of the Meeting of the S[ociety for the] S[tudy of] N[atural] P[hilosophy] before the last, as the late Judge Davis recorded the proceedings.

The first of the two meetings was held, as I think, in the second week in June. Judge Davis informed the Society that he had received from Dr. Prince seventy plates of Zinc for a galvanic apparatus which he offered to the Society. The Society voted to purchase them and appointed Dr. W. and myself a committee to compleat the apparatus. Judge Davis also informed the Society that Dr. Prince had an Air pump and apparatus belonging to it, which he offered in exchange for ours, *his* being upon an improved construction. Two gentlemen (I think Judge Davis and Mr. Quincy) were appointed to view this air pump and make an arrangement for the exchange.

Dr. W. and myself, a committee appointed at a former meeting to consider what additional Ch[emical] apparatus was wanting to the Society reported: — that sundry articles of Chemical Apparatus

as per schedule subjoined, were necessary to enable the Society to continue their chemical experiments in a style in any measure proportionate to that in which they had hitherto been exhibited. It was feared by some members that the Chemical Apparatus would engross too large a proportion of the funds. Dr. J. then stated that Dr. W. and himself would engage to take all such parts of the apparatus proposed to be procured as should remain at the expiration of two years after the receipt of it by the Society, at the cost of the same, if at that time the Society should wish to part with the same.

Upon this condition it was voted that the report should be accepted, and the same committee was appointed to procure the articles mentioned in their report.

I am in real haste and must beg you to make your record in other language than that in which I have expressed myself. I am sir with respect your obedient servant,

JAMES JACKSON.

SCHEDULE.

North's machine for impregnating water with carbonic ac. gas.
6 Tubulated proof bottles, with inverted removable, bent glass tubes, viz. three pint and three half pint.
1 Glass balloon, with one neck, six pints.
1 Do. Do., with two necks, Do.
Wolfe's apparatus as improved, having five bottles.
2 Mattrasses.
1 Phial, globular body, long neck. See Greve's Chemistry, *Vol. I. Pl.* 4. *E.*
2 Glass syphons.
2 Air funnels.
1 Merc'y Thermom. boxwood scale and hinge.
3 Small spirit of wine Thermometers.
24 Glass tubes from one-eighth to three-quarters inch diameter, from one and one half to two feet long.
6 Earthen Retorts, twelve tubes adapted, twelve short curved tubes adapted to the straight tubes.
12 Glass rods. 6 Tall glass jars, five pints each.
6 Brass pipes, stop cocks, different sizes.
Water box and Bench.
Mercurial box.
Mercury.
Oxymuriatic Acid. Oxymuriat of Potash.
Oxalic Acid. Prussiate of Potash.
Phosphorus. Aq. Ammonia Pure, and Carbonated.
Also Lavoisier's Works by Henry.

P. S. I had forgotten to add to the proceedings of the Meeting in June that Mr. Lowell was authorized to procure a small collection of ores from England or Scotland.

Report on the Register of Philosophical Transactions.

The Subscriber having been appointed at the last Meeting of the Society to report a plan for keeping a Register of their *Philosophical Transactions*, submits the following proposals.

1. That it shall be the duty of each person, who may perform any Experiments before the Society, or read to them any essay, dissertation or lecture, to enter in a Book, to be procured for that purpose, an account of such experiments and the whole of such essays, dissertations or lectures, or such summary thereof as shall enable the Society to have a clear understanding of their contents, such entries to be made immediately after such Member's term of exhibiting shall be completed and before his next successor shall have finished his course.

2. That in making the entries in the said *Book of Transactions*, one side only of each leaf shall be written upon, the other to be reserved for such corrections, observations and references as farther enquiry may suggest.

3. That it be recommended to each Member to reduce to writing notices of any new improvement, valuable discovery or useful suggestion relative to the objects of the Society which may occur in the course of his reading or observation or from reflection which shall be recorded or noted in said Book, unless otherwise directed by the Society. Such notices to be made with as much brevity as may consist with perspicuity.

4. That brief notices be also entered in said Book of any philosophical subject which may be occasionally discussed in the Society.

5. That said Book be at all times open to the Inspection of the Members; and shall be produced by the Officer who may have it in keeping at every meeting of the Society.

6. That when any member shall be disposed to present a communication, which can not be conveniently comprized in the compass proper for the proposed record, that the paper containing the same, after being read, shall be carefully kept on file by the Officer keeping the said Book of Transactions, in which also he shall note such communication.

J. Davis, *Committee.*

Boston, December 9, 1803.

LIST OF ARTICLES ORDERED FROM ENGLAND, APRIL, 1806.

List of articles to be purchased for the use of the Society for the Study of Natural Philosophy, prepared agreeably to the vote of the Standing Committee, April 4th, 1806.

Two thermometers, one having an ivory scale and hinge, one boxwood, common sizes.
Four gas-bottles, with bent tubes, etc.
Four glass jars, each six pints.
One glass jar, 2 pints, neck fitted with ground stopper.
One Do., one pint, as above.
Two glass jars or tubes, each half a pint, graduated into cubic inches.
One glass tube eighteen inches long, three-quarters inch diameter, closed at one end and divided into cubic inches and tenths of an inch.
One small glass measure, containing two cubic inches similarly graduated.
One globular glass receiver for Wolfe's apparatus, to contain one pint.
One glass jar with three necks for Do.
Six bent tubes for Do.
Six tubulated glass retorts, from one to two pints.
Two glass tubes with wires for passing electric shock thró' gasses.
An order for the above to be sent to London.
Also, bellows and blowpipe.

Mr. HOWE communicated a full transcript of the southern

JOURNAL OF JOSIAH QUINCY, JUNIOR, 1773.

The two journals of Josiah Quincy, Junior — one of a journey to South Carolina, Pennsylvania and New York in 1773, the other of his experiences in 1774–75 as a confidential agent in England of the patriotic party in America — formed an important part of the *Memoir of the Life of Josiah Quincy, Jun. of Massachusetts*, by his son, Josiah Quincy, published in 1825, and reprinted "with some additions" by his granddaughter, Eliza Susan Quincy, in 1874. It was on the return voyage from England that the young patriot died, April 26, 1775, off Gloucester, lamenting that his life could not be spared long enough for him to report to the popular leaders in Boston the important secret information he was bearing from London.

In the original manuscript of the first journal Miss E. S. Quincy inserted a note in 1878, explaining the omission of a passage relating to Benjamin Franklin. Her father, she said, "decided not to publish this passage. Some years after, the passage was read to Mr. Sparks, who regretted it was not published, and asked and obtained a copy of it." When she prepared the later edition of the *Memoir*, she intended to use it,

but was dissuaded by the advice of her brother Edmund from doing so. There can surely be no longer a good reason for suppressing the story which was told to Josiah Quincy, Junior, in Philadelphia in 1773 — that Franklin was "the first proposer of the Stamp Act," a story which the diarist after meeting Franklin in London indignantly rejected in a footnote written in January, 1775.[1]

It was the discovery of this important omission from the journal which led me recently to make a comparison between the manuscript and the printed versions of it. In the *Memoir*, the South Carolina journal is introduced with these words: "Some of his particular observations, from the familiarity of our present intercourse, might appear trite and uninteresting, and will be omitted, as also will be, for the most part, all those particular strictures on the nature and effect of that portion of the population of the southern colonies, which was most likely to make the deepest impression on the inhabitant of the northern, and by which a stranger, of his turn of mind, could not fail to be peculiarly affected. With these exceptions the journals will be published entire." But the omissions from both journals, I found, are not always indicated, and there are frequent changes in phraseology of which there is no indication whatever. In a word, the diary was edited after that fashion of the day which Jared Sparks, in spite of his regret at the omission of the Franklin passage, so notably exemplified. In reprinting the book, Miss E. S. Quincy, though restoring a few of the omitted passages, evidently used the pages of the earlier edition and not the original journals as the basis of her work. The South Carolina journal is still in the hands of the Quincy family, together with a manuscript copy of the English journal, the original of which came to the Massachusetts Historical Society in 1884 by the bequest of Miss E. S. Quincy.

In printing the southern journals now exactly as they were written, it is believed not only that their value as documents will be considerably enhanced, but also that the restoration of random, informal expressions which were not thought proper to a biography in 1825 will add something to the faithfulness of the pictures which Josiah Quincy, Junior, drew of his times and, incidentally, of himself. It should be remembered that

[1] See p. 474, *infra*.

when he made the southern journey he was not yet thirty years old.

To this note upon the text of the *Memoir* must be added a passage from a letter which has recently come to light, showing how much of the preparation of both editions of the *Memoir* was in reality the work of Miss Eliza Susan Quincy. The letter, dated February 4, 1879, and addressed to a member of the New Haven family of Woolsey, referred to a copy of the *Memoir* which Miss Quincy was sending to this lady.

I am confident, that you will be interested in my grandfather's character. His early fate, met with such fortitude and resignation, touched me deeply and led me to prepare this Memoir in 1823–4. His MSS. were here at Quincy, and I copied them and arranged the work, without the knowledge of my father, who was then Mayor of Boston. When I showed him my MS. he said it ought to be published, but to this I could not consent. He always intended to write a Memoir of his father when he retired from public life. But I could not allow the work to be delayed. Therefore I recopied the MSS. which formed the chief part of the volume and persuaded him to pause in his labors for the city to write a Preface and the connecting passages and assume the authorship.

Thus it was prepared to publish during Lafayette's visit, which turned public attention toward the period of the Revolution; — and it was received with enthusiasm. But it was hastily printed, and I always wished to print a Second Edition, with additions. This I accomplished in 1874, and after paying my printers and binders, I found ways and means to circulate the Memoir widely over the United States. The publishers told me there was no demand for works relative to the Revolution since the Secession war, before I began to print, but, as my object was a memorial of my grandfather, I was not deterred.

When Miss Quincy wrote this letter she was eighty-one years old. When the *Memoir* first appeared in 1824 she was twenty-six. The intervening years were fruitful to a rare degree in labors, acknowledged and private, kindred to those which produced the *Memoir*.[1]

A JOURNAL, 1773.

The Design of the ensuing Journal is, among other things: to gratify one who has a right to a very large share of my thoughts

[1] See 2 *Proceedings*, I. 34.

and reflections, as well as to participate, as far as possible, of all my amusements and vicissitudes;

to be a memorial of my thoughts, as they rise, and to remain a future witness to myself of the changes of my own sentiments and opinions;

to record those kindnesses and little civilities, which might otherwise imperceptibly fleet from the memory; but which ought nevertheless to be held in remembrance till we shall embrace an opportunity fully to return them.

To those therefore into whose hands this Journal, either before or after my death, may chance to fall, the foregoing considerations may serve as some Excuse for those trifles and impertinences I foresee it will contain, and shall not strive to avoid.

J. Quincy, Junr.

Boston, Feb. 6th, 1773.

A Journal,
interspersed with observations and remarks,
by
Josiah Quincy, junr.

> Eye nature's walks, shoot folly as it flies,
> And catch the manners living as they rise;
> Laugh where we must, be candid where we can.
> *Pope.*

> Mark the affections of thy *youth*, and engrave
> the observations and sentiments of thy *manhood;*
> the review shall solace thy *old age* and bring a
> kind of re-juvenescence to thy *hoary head.*
> *Zoroaster.* lib. IX, fol. 5.

February 8, 1773. Sailed in the *Bristol Packett*, John Skimmer commander for So. Carolina, with design of taking the tour of the Southern provinces for my health.[1] The *Nos patriae fugimus, nos dulcia linquimus Arva,* of Virgil was uppermost in my mind, and when I came in sight of my father's cottage, *Te, Tytere, lentus in umbra,* seemed the sweetest harmony I ever carolled.

A perpetual involuntary repetition of the five first lines of the first Eclogue employed my first hour on shipboard. No lines I ever read seemed to contain so much sentiment and harmony of numbers. Every word was a beauty, and every reflection discovered some new charm. I begun to think no one had ever seen how much the

[1] "February 8. This morning my brigg sailed for So. Carolina, Captain [John] Skimmer. Young Josiah Quincy went passenger." "Diary of John Rowe," in 2 *Proceedings*, X. 78. Captain Skimmer was killed in an engagement with a letter of marque brig in August, 1778.

Poet conveyed, and was fully convinced no English translation had ever reached half the force, sense and grace of the original. What was to be done? I had nothing to do. I immediately set about a new translation of my favorite Roman. Before I had got well engaged in my labours, and before (I am sure) I had one draught of Helicon, my employment was changed, and my attendants were Randall[1] and the Cabin-boy, instead of the Muses and Graces. A bowl of thin water-gruel was preferred to a goblet of Nectar and Ambrosia, and Randall stood

Mihi magnus Apollo.

However at intervals the paroxysm of Mount Parnassus came on, and I was soon convinced that he who has little to do will soon have his Hobby-horse. And why may I not up ride, as Yorick says, so that I injure no passenger in the way?

By the 3d watch of the Night I had finished my task: it appeared the best brat I had ever seen. But misfortunes attend the Poet. Upon a comparison with the original, my translation exceeded it almost two-thirds in length. It will not do, said I. I must try again — "and strain from hard-bound brains nine lines a day." Thus I continued my very variegated employ, alternately busied with the cabin-boys and the muses, till I fitted my expressions and numbers to my author. This will do, cried I. Who would not be sea-sick a little, if it will purify and sublimate a Common Lawyer into a poet? I am sure no body has given the forte of Virgil so well: no translator has done it I am sure. I will continue the vein, and publish a translation of the first Eclogue as a specimen of my improvement by travelling. Alas how short-lived are the pleasures of Imagination! A few minutes recollection reminded me, that I could remember only Trapp's translation,[2] which was the one I used while a school-boy. This was a damper with a witness, and the words of the wit, who wrote over Trapp's door while he was *in his labour* did the business. I have never made another attempt from that time to this; and believe I shall not to my dying day.

Trapp, mind thy bible, and translate no further,
For it is written, "Thou shalt do no murder."[3]

[1] Apparently a personal servant.

[2] Joseph Trapp (1679–1747), poet and pamphleteer. See *Dictionary of National Biography*, LVII. 155.

[3] By Abel Evans (1679–1737). The epigram usually reads:

"Keep the commandments, Trapp, and go no further,
For it is written, that thou shalt not murther."

These lines made a much deeper impression upon me, than on the good Doctor to whom they were particularly applied; and I forthwith determined to take the Poet's advice,

Keep your piece nine years.

A considerable time before my taking this wise resolution, I had taken to my bed. A very high wind and large sea had given [me] a *quietus* before I had reached the Light house. An instant application of diluters however rendered my exercises less painfull at first, and little incidents kept turning up to divert my attention or cheer my spirits. I observed Randall to be over assiduous in holding my head and calling for liquids, while his sides and body shook as if he would die. I pretty soon discovered my situation had excited his immoderate laughter and all his over-officiousness intended to conceal his mirth. He would perhaps have received some indications of my discovery had not my memory reminded me of a time when I was like overtaken and had recourse to a very similar artifice.

Exhausted nature soon called for some repose; a return of my illness however soon disturbed it. But when on calling for my servant I was told he had taken to his bed, my revenge was satisfied, tho' if I could have moved he should have seen my sides shake in his turn. Thus I was relieved with trifles and mirth at every interval of my labours. For the noises which came almost every instant thro' the bulkhead convinced me that the corners of Randall's mouth no longer made encroachments on the domains of his ears. No proposition in Euclid was clearer than that R's jaws now oscillated with quickness between the Zenith and Nadir, and that their motion was no longer horizontal but vertical. Thus

Trifles please the idle mind.

The Cabin-boy, who has now become my assistant, afforded new matter for entertainment and consolation. Tho' he had been three years accustomed to the sea, yet the swell and motion of the water was so great as to work him as much as myself. And while the poor little fellow extended his arms to my assistance, he lay with his breast on the floor and was exercised with strains and throws more violent than my own. My own situation made me compassionate. Good Heaven! thought I, how various, how unsearchable are thy allotments! Every reflection of my mind now served to reconcile me to my own afflictions: their number decreased on comparison, and in proportion as calamities humanized my heart towards the poor prostrate boy, their severity dissipated apace. Gay's fable of the Cook-maid, turnspit and the ox, which I had learned when very

young, lulled me to repose (for the first time on Ship-board) about three in the morning.

A more disagreeable time can hardly be conceived, than the season of my first days and nights. Exhausted to the last degree, I was too weak to rise, and in too exquisite pain to lie in bed. Unable to take any manner of food, I remained wholly confined to my state-room, till the pains of my body and limbs forced me to make one effort to get fresh air. Assisted by two people I reached the foot of the companion-stairs, but was not able to proceed further. The fresh air instead of refreshing, at first, overcame me. My sickness came on with redoubled violence, and after several fainting turns I was carried back to bed. At the end of fifty-eight hours, I took the sustenance of one rusk, and soon after of a little broth. The night passed very heavily away, and at about 4 in the morning, my pains came on so violent, and my cabin was so sultry and hot, that to rise or perish seemed the only alternative. I knocked for the watch upon deck, and with the assistance of two of them, got seated on a hen-coop by side of the binnacle.

Scenes altogether new and surprizing presented themselves to my view. I had never before been on deck since passing the Light-house, and had never before been out [of] sight of land.

The heavens were overcast with black and heavy clouds, with here and there a light flying wild cloud interspersed. With a hard North East wind, the weather was extremely close and muggy, and distant flashes of lightening gleamed all round the horizon; the waves seemed to curl with flames just sufficient to make the darkness visible and successive peals of distant thunder all conspired to make deep impressions and fit the mind for meditation. To know how all this affected me, a person must consider my weakness, my situation and cast of mind.

What a transition have I made and am still making! was the exclamation of my heart. Instead of stable earth, the fleeting waters: the little hall of right and wrong is changed for the wide-expanding immeasurable ocean: instead of petty jars and waspish disputations; waves contend with waves, and billows war with billows: seas rise in wrath and mountains combat heaven; clouds engage with clouds and lightenings dart their vengefull corruscations; thunders roll and oceans roar: all other flames and distant shores, sea, air and heaven reverberate the mighty war and echo awfull sounds.

> The sky it seems would pour down livid flames,
> But that the sea, mounting to th' welkin's cheek,
> Dashes the fire out.[1] *Shakespeare's Tempest.*

[1] The first line should read,

"The sky, it seems, would pour down stinking pitch."

Vast field for contemplation! Riches for mind and fancy! Astonishing monuments of wisdom; magnificent productions of power!

The ingenuity, the adventurous spirit, the vast enterprizes of man next succeed to employ reflection. A little skiff, scarce a speck in this wide expanse, flew threw the waves and plyed this angry flood; braved the threatening dangers — this world of night and chaos.

While thus surprized and gratified, I rejoiced to think of my undertaking; and was pleased with the *hopes* being wiser and better for my excentric motion. Suddenly the weather changed, became redoubly inclement, and cold rain and sleet threatened my health if I tarried longer. But to go in my enfeebled state to a hot confined cabin, was intollerable. Rain and cold appeared less dreadfull than heat and foul air. I sent for my hussar,[1] which with my surtout, was to fit me for a companion to the sailor at helm till sunrise.

The weather increased in badness. I became fretfull. 'Twas death almost to retire to my hole. An exclamation escaped me, I repined, I murmured, I exclaimed again — When — I shall never forget the sensation — the seaman at helm carolled with his marine pipe:

How little do these landmen know,
What we *poor sailors* undergo.

The best divine, moralist or philosopher could not have devised a better cure for my spleen and vexation. I was all sympathy in a moment. Upon comparison how little reason had I for complaint! How much ground of gratitude to heaven! each thought now tended to reform me, every new reflection became more and more sentimental. I was humanized —

Hence pity found place in my breast.

The honest tar continued his carrolls, and his notes were truly musick to my ear.

A concord of sweet sounds.

I was perswaded the fellow chaunted his naval tune to divert me, but whether he expected to do it by the harmony of sounds and numbers, or by the sentiment of his song to alleviate my afflictions in calling me to consider those of others, I doubted. But it was wholly immaterial to me; either way I was equally obliged to him. Some passages of Yorick at this instant came across my mind — and it would have been infamous, if they had no influence upon my heart. My hand mechanically went to my pockett, but searched

[1] An unusual use of the word.

in vain for my purse; this was deposited in my sea-chest the day before I sailed. Luckily a small remnant of my last fee was in the lining of my desert-pockett. I threw it to the helmsman who in endeavouring to catch it struck it half through one of the scupper-holes. It was now out of his reach, he could not leave his helm to get it, I could not rise from my seat without help, and no one was on deck but us two. The witty, careless, good humoured fellow looked a little shagreened at first, (for every roll of the sea threatened its loss) but with great ease and indifference turning upon his heel warbled with ineffable harmony,

> Hay! why should we quarrell for riches,
> Or any such glittering toys,
> Since a light heart and a thin pair of breeches,
> Goes thoro' the world brave boys.

To know how this turn of the sailor was relished, to realize the pleasures it gave, one must know every circumstance of my situation and every feeling of my heart.

If there is any merit in the motive, any in the action, all is thine, Oh Yorick, Prince of sentiment!

Days of heat, cold, wind and rain now rolled on. Confined to my cabin almost wholly I became pale, wan and spiritless; and as I have since learned from my servant, every person on ship-board gave me over and concluded I should never reach land. I was perfectly sensible of my danger, but by being carried upon deck, night and day, when it did not storm violently, my spirits revived, but my appetite never.

My second week at sea was now passing, with only little incidents, perhaps no more worthy of recording than those which for want of better materials have engaged my idle time, and found a place in the preceding pages.

With us came passenger one Mr. John Alexander Hunter, late a purser on board his majesty's twenty-gun ship [of] war lying in Boston: a gentleman lately obliged to ask leave to quit the service for his following the practices and examples of his superiors: which in them escaped with impunity. "See little villains hung by great."

Mr. Hunter was one day uttering his complaints, when among other things an expression escaped him, remarkable as coming from one who had been fifteen years in the Crown service, and retained much of the peculiar sentiments and manners of such an employ. He was speaking of the partiality of a Court of Enquiry which had sat upon him, and the little reason to hope for justice in a Court Martial with which he was threatened, unless he would ask leave to quit his berth. "Good GOD!" cried he, "why do I complain? What

reason had I to expect any thing better? *A government that is arbitrary is always unjust: a tyranny in one or more is always cruel and unrighteous.*" Such sentiments from him surprised me. I was impatient to know whether these reflections were founded in his heart, or only the overflowings of spleen, disappointment and revenge. For great is the sense of wrong, when oppression touches ourselves, weak, weak indeed, when we are exempted from all apparent danger of a like misfortune.

Hunter was a man of good natural powers; considerably acquainted with essays and the belles-lettres, tho' not learned or conversant with the severer studies. I took this opportunity to start the controversy between G[reat] B[ritain] and the Colonies. I spoke of the conduct of both; of present measures and of the probable consequences. I hoped hence to draw the general opinions of his Corps, and also what must have frequently transpired in his company for the last seven years.

"Very true," said he, "Mr. Q[uincy] we all know this. Great Britain has no right to tax you. The ministry know it as well as you, but money must be had somewhere. Every thing is strained to the utmost at home. The people of England see, as well as you, that N[orth] America must one day be independent, and tis her interest, and most certainly that of the present administration, to prevent this as much as possible: and they will prevent it for a much longer time than you imagine. For you can't contend with the power of Britain, whose navy conquers the World; and your first men are all bought off and will be more and more so in proportion as the ministry are wise and well informed. And who can blame them for it, they are in the right of it to do it, and you are in the right of it to make opposition, but all will not do. You must submit for a great while yet to come. Why all the world are slaves, and N[orth] America can't hope to be free."

A train of conversation of this kind pleased and exasperated. I reasoned, spoke of facts, of history, of human nature, of glorious sacrifices — till from inveighing I almost stormed. The agitation did my health good, if nothing more; for I wanted my blood to circulate.

Upon my telling him that the present steps of the British government were to the last degree iniquitous, repugnant to the first notions of right and wrong: "Oh Mr. Q[uincy]" (he replied) "what do you tell of that for, there can be no government without fraud and injustice! *All government is* FOUNDED *in corruption.* The British government is so. There is no doing without it in state affairs." This was a clencher. "Well I hope Mr. H[unter] you will never more complain of arbitrary proceedings and wrong and

cruelty seeing such is the government you have served and are now raging to be employed by." "Yes, yes, when it touches *one's-self*, we have right to complain. Damn it, was ever any one served as I have been? Admiral M.[1] has himself to my knowledge done ten times as bad, and yet the rascal, the scoundrel persecuted me with unrelenting, brutal cruelty." Here I let matters drop, making only a few natural reflections on the character of man.

How little variant is this Gentleman from those Zealots for Liberty, who are the Enslavers of Negroes?

In the course of this time I had a good opportunity of discovering the great corruption of Administration and the gross frauds of the servants of the Crown. Mr. H[unter] frequently owned to me that his salary and berth was only worth 45£ sterling a year: but that the year before last he made 300£ and the last six months at the rate of 400£ sterling a year. And this will not seem at all incredible to those who are informed of the ways and means of doing it and the sharers and connivers of it.

February 21, 1773. This morning we were within thirty leagues of our port, which [we] should have probably reached the preceding day had we not been becalmed twenty-four hours.

At about seven o'clock A. M. a black cloud hung over the north and eastern part of the Hemisphere, and at eight the wind rose extremely high at NNE. Before night the wind blew a hurricane: everything threatened a terrible tempest. We were in the latitude of Bermudas, a latitude remarkable for storms and whirlwinds. The hurry, noise and confusion of preparing for the storm was astonishing to one, never in a like situation. Rain, hail, snow and sleet descended with great violence and the winds and waves raged all night. About four in the next morning Capt. Skimmer called to me, saying, "Mr. Q[uincy], come and see here: you may now say you have seen a storm at sea. I never saw so dismal a time in my life."

The scene beggars all description. As the day advanced, at times light openings in the clouds gave a view of the horrors all around us: such appertures were ever attended by a tenfold gust of wind. The seas rose in mountains on each side, and we were alternately elevated to the clouds and sunk in the deep. I frequently saw the yards plunged in the waves, and was often sent by force of the motion across my cabin. I used to keep myself in bed by throwing my left arm over my right shoulder and then twisting a cord (fastened to the side) round my wrist prevented being pitched out of bed. It was so dark by reason of immense thick fogs that at midday you could not see the end of the bowsprit, and often scarce

[1] John Montague (1719–1795).

discern the yards. The exhalations from the water resembled in density and much *in smell* the vapour from a burning lime-kiln. In short horror was all round us. Our Captain had been thirty-one years a seaman, Mr. Hunter had been on all the coasts of Europe and America, and the Mariners had one or other of them visited most parts of the ocean, but none had seen so terrible a time. Seas struck us repeatedly with terrible concussions, and all seemed to expect instant death. In this manner day succeeded day, and night closed upon night; here a gleam of hope, and then anon a bitter disappointment. In vain did we look for change, tempest and whirlwind seemed to have attained stability.

> In every place [cabin]
> [I] Flamed amazement. . . . . Not a soul
> But felt a fever of the mind [mad].

On Wednesday (24th February) night, the rain much abated, but the clouds did not disperse, nor the winds lull. I put my head out of the companion-door in order to take a view, and could not help repeating those beautiful lines of our Poet:

> Unmuffled ye faint stars, and thou fair moon,
> That wont'st to love the traveller's benizon,
> Stoop thy pale visage thro' an amber cloud,
> And disinherit *Chaos, that reigns here*
> *In double night of darkness and of shades;*
> Or if your influence be quite damm'd up
> With black usurping mists, some gentle taper,
> Though a rush-candle from the wicker hole
> Of some clay habitation, visit us
> With thy long levell'd rule of streaming light,
> *And thou shalt be our Star of Arcady,*
> *Or Tyrian Cynosure.*

February 25. On Thursday things remained much as they were; towards night the clouds dispelled, stars were here and there to be seen, and every thing seemed to promise better times: but our hope was as the morning cloud and evening dew. Before day light seas, winds, snow and rain raged more than ever. All matters had previous to this been disposed to encounter the worst. Everything was either lashed upon deck or removed off it: axes were delivered out and all stood prepared for cutting away the masts, which we expected to be obliged to do every minute. We had long laid under bare poles, except what is called a balanced mainsail to keep her head to the winds and seas as far as possible. All now retired to the steerage or cabin: none remained upon deck: we drove toward the shore with incredible swiftness, considering we carried no sail: seas

broke over us often; now and then one would strike with enormous force. I had no way to keep myself in bed, but by throwing my left arm over the right shoulder and then twisting a cord (fixed to the side of my stateroom) round my wrist. The whole of this night, (after eight o'clock) I believe every soul on board expected to perish.

> Who knows but HE, whose hands the light'ning forms,
> Who heaves Old Ocean, and who wings the storms,
> Pours fierce ambition in a Cæsar's mind,
> Or turns young Ammon loose *to scourge* mankind?

We were now in that latitude in which the remains of my elder brother [1] were deposited in the Ocean; and probably very near the spot where Mr. John Apthorp and lady were foundered.[2] It was impossible at this season to exclude this from remembrance, the mind dwelt upon it. Especially as in case of our loss, there would have been a like ignorance of our fate and length of expectation of friends, as in the unhappy case of Mr A[pthorp] and his lady. To consider, to ruminate, to waver, to despond, to cheer and ponder anew was natural to the scene.

> HE who through immensity can peirce
> See worlds on worlds compose one universe,
> Observe how system in[to] system runs,
> What other planets circle other suns,
> What varied Being peoples ev'ry star,
> May tell why Heav'n has made us as we are.
>
> . . . A thousand fantasies
> . . . throng into the memory;
> Of calling shapes, and beck'ning shadows dire,
> And airy tongues, that syllable men's names
> On sands, and shores, and desert wildernesses.
> These thoughts may startle well, but not astound
> The virtuous mind. . . .
> Peace — be nor over-exquisite
> To cast the fashion of uncertain evils;
> For grant they be so, while they rest unknown,
> What need a man forestall his date of grief,
> And run to meet what he would most avoid?
> Or if they be but false alarms of fear,
> *How bitter is such self-delusion?*

Providence now gratified a frequent desire of my heart — that I might be in a situation so circumstanced as to be fully convinced of a speedy departure,

[1] Edmund Quincy (1733–1768).

[2] John Apthorp married, December 12, 1765, Hannah, daughter of Stephen Greenleaf.

. . . To that bourn
From which no traveller returns,

that I might have the exercise of my understanding, time to examine the heart, to reflect upon the past, look forward to the future, weigh and consider, whether I leaned

Upon the pillared firmament,
Or rottenness.[1]

To notice the operations of the mind and observe the emotions of the spirits at such seasons is certainly a duty and very profitable employ. The justness of our sentiments, opinions and judgements concerning all subjects is here brought to the test; and the propriety, right and equity of our past lives must stand an audit. We hence are powerfully taught what is folly, what wisdom, what right and what wrong: the duties we have omitted and those we have performed: a reflection upon the one is pungent, a review of the other exquisitely joyous. That *procrastination is the thief of time* we had heard in doctrine: Its truth now shines not in theory, but in fact: experience gives weight and energy to what before was fluctuating and feeble.

To-morrow, [and] *to-morrow, and to-morrow,*
Creeps in this petty space [from day to day]
To the last syllable of recorded time;
And All our Yesterdays have LIGHTED *fools*
The way to study wisdom [dusty death].

I had often in past life expressed my creed that every man died a hater of tyrants, an abhorer of oppression, a lover of his country, and a friend to mankind. I shall never forget how my conviction upon this head now received confirmation. No period of my life now gave such solid satisfaction, such heart-felt joy, as those few in which I had contributed a mite towards exhibiting certain men and measures in what *now appeared* a true light and in annoying those who at this test still appeared the enemies of my country. Perhaps I was now more an enthusiast then ever, for the review was delightful. I regretted nothing more than that in past times I had not been more of the true citizen of my country and the world; more assiduous, more persevering, more bitter, more implacable, more relentless against the scourges of my country, and the plagues of mankind. I shall never, I hope I shall never, forget the resolutions I now formed, the sentiments I now entertained; my determination to remember them in future and make this minute I am

[1] " The pillar'd firmament is rottenness."

now writing of, as a memorial of the past and a memento for the future; and to aid me in engraving them on the tablet of my heart.

At the making of this minute I have not reached the land; the day is more cheerfull but Dangers not at an end. I pray GOD to seal instruction at this instant; — that every thought and sentiment which is just and true; that every resolution which is good and noble may not be shipwrecked in the future current, whirl or tempest of base, ignoble appetites and tumultuous, execrable passions; become the fleetings of a bird of passage, "the baseless fabrick of a vision," but stable as the pillared firmament and influential as the mid-day sun.

February 26. Upwards of an hundred hours had now passed without sight of the sun: the wind had set almost wholly from NNE; the Gulf Stream (said to run along the Carolina shore upwards of five knotts an hour) directly opposite. All of a sudden the waters changed their colour, we threw the lead and found soundings: the terror and confusion on shipboard was now great indeed: whether this land was off the Bar of Carolina, off Roman Shoals or the Bahama Sands was altogether uncertain to every person on board. New dangers now stared us in the face. Necessity compelled to venturing upon deck and hoisting a reefed foresail; for the wind set violently on the shore, at this time, about eight in the morning; in the afternoon the clouds seemed again to scatter, and though we flattered ourselves less than before, yet the signs of better weather worked forcibly on our hopes. At night, however, new clouds arose with redoubled heaviness and blackness, and our Captain said he believed we should have a harder time than ever. The winds changed almost every minute, and what is very extraordinary considering their violence these variations were to directly opposite points of compass. We had the greatest reasons to fear the consequence. But the rains falling in incredible floods imperceptibly layed the seas and assuaged the storm. And after a prodigious trying night to those sailors who kept the deck, the morning broke with signs of fair weather. At twelve o'clock (*27 February*) we had a tolerable good observation, and found ourselves to the southward of our port. Our crew were spent, pale and spiritless. The pleasures of a returning sun are not to be conceived but by those who have been in like jeopardies and trials.[1]

[1] Attached to the MS. is a clipping from a newspaper, as follows:

"From an English Print of the 3d of March, which we are favoured with by one of the Passengers, we find that on the 26th and 27th of February they had in England a prodigious high Wind, or rather Hurricane, by which great Damage was done in London and other Places, by blowing down Houses, Chimnies, &c. and to the Shipping in the River, as almost every Vessel from Greenwich to Lon-

We had once during the storm discovered a ship near us: we now again saw her. Each made a signal to speak together, and each bearing down upon the other, we met just at twelve o'clock. It proved a ship from St. Croix: she had scarce a rag of sail standing, most of her running rigging gone: her hands alternately at the pump: she looked distressfully enough. Each one on board our brig began now to compare our case with that of our fellow voyager who appeared bound to the same port with us: all were moralizing on the scene. For we had comparatively suffered no such damage in the storm. Extreme precaution, watchfulness, and steadiness in our master, great activity and courage in our crew; all knowing and willing to do their duty; with extreme fine sails, rigging, etc., had saved us from much injury which we should otherwise certainly have suffered. The Captain of this ship told us that he had been a seaman twenty-one years and never had seen "such a time in his days." No person on board us had ever been to Carolina, which occasioned our Captain to ask the master of the ship whether he had ever been the like voyage before: to which he answered "Yes, about twenty-one years ago." And our replying that we had never been there; the hearty fellow commanding the ship cheerfully said, "Give us this sun and this breeze and we'll soon be better acquainted with the way." [1]

I could not help being surprized with this sort of ease and jollity immediately after such hair-breadth 'scapes and in such a shattered condition. Our crew were mightily tickled with his courage — and a horse-laugh "hearty-cock, brave fellow," etc., re-echoed through our bark.

This interview also was one of those we must experience before we can form a true idea of its pleasure. 'Twas far beyond what a mere landman would suppose.

We soon outsailed the ship, but before we had gone far our Captain on a sudden seemed very angry with himself: no one knew the

don Bridge, were drove from their Moorings; and by running foul of each other several of the smaller ones were sunk, and many Lives lost; others dismasted, and some drove ashore; among the latter were the Ships *Earl of Dunmore*, and *Dutchess of Gordon*, in the New-York Trade: Great Damage was likewise done at Cowes, Portsmouth, Downs, and other Seaport Places, the 'Elements (as the Paper says) seemed to be all over in a Ferment, and the Clouds appeared of a fiery Red for many Hours:' Capt. Hall, of this Place, in a Ship just arrived in the Downs from Dartmouth, was drove ashore off Kingsdown, and lost her Rudder and received other Damage."

[1] "The crew of this ship was so weakened with incessant pumping and fatigue that when they came off Charlestown Fort not a soul had strength of lung sufficient to answer the hailing: and it was finally made by a signal." — Note on the MS.

cause of his agitation; when he ordered the peak of the mainsail dropped and to bear down again on the ship: which being done, we all waited to know the cause of it; the countenances seemed to express wonder at what it could mean, and the hurry of executing the orders of the master prevented us from asking questions. While we were thus waiting with expectation, the speaking trumpet resounded "*Do you want anything that I have got* — provisions, water, canvas, or rigging?" Heavens! what were the sensations of my heart at this question? And how was my blood and spirits moved, when the hoarse reply was, "No! no! *plenty, plenty* here yet, thank GOD! Who's the Commander of that Brig?" "John Skimmer." "GOD send you well in!" This scene made me almost beside myself. I was weak and feeble: — misfortunes humanize the mind. Adversity [1] makes us susceptible of the finer feelings. My brain turned, my heart throbbed, my pulse rose and fell, I almost — and should have quite — fainted had not tears bursting from my eyes and rolling down in a torrent gave me ease. Here was a most beautiful assemblage of sympathies and virtues: and my mind was so softened by disease and misfortunes, that it was well fitted to feel the energy of such a union. Humanity and benevolence, gratitude and thankfulness shown reciprocally in the offer and return and vied in lustre: a similitude of calamity inspired friendship and charity, and sublimity of action. It has been said that necessity was the mother of invention; may we not also say, that misfortune is the parent of virtue? [2]

February 28. We now were off Charlestown Bar, and the wind being right in our teeth we were the whole day beating up. Just

[1] *Daughter of Jove*, relentless power,
Thou tamer of the human breast,
Whose iron scourge, and tort'ring hour
The bad affright, afflict the best!

When first *thy Sire* to send on Earth
VIRTUE, his darling child design'd,
To thee he gave the heav'nly birth,
And bade to form her infant mind.
Thy form benign, O Goddess wear,
Thy milder influence impart,
Thy philosophic train be here
To soften, not to wound the heart,
The gen'rous spark extinct revive,
Teach me to love, and to forgive,
Exact my own defects to scan,
What others are to feel, and know myself a man."

[2] What Sorrow is, thou bid'st us know,
And from our own, we learn to melt at others' woe.

before sunset we passed the fort. Charlestown appeared situated between two large spacious rivers, (the one on the right called Cooper River and the other on the left, Ashley River) which here empty themselves into the sea. The number of shipping far surpassed all I had ever seen in Boston. I was told there were then not so many as common at this season, tho' about 350 sail lay off the town. The town struck me very agreeably; but the New Exchange which fronted the place of my landing made a most noble appearance. On landing, Sunday Evening just before dark, the numbers of inhabitants and appearance of the buildings far exceeded my expectation. I proceeded to the Coffee-house, where was a great resort of company as busy and noisy as was decent.

I here met with Mr. Lavinus Clarkson, to whom I had letters, who much befriended me in getting lodgings, which we were put to very great difficulty to obtain. By ten o'clock however we procured one near the State-house, and this night I had the most sound and refreshing slumber I ever enjoyed.

March 1. In the morning the same gentleman politely attended me to introduce me to those to whom I had letters of recommendation.

This and the next day I spent in traversing the town from one end to the other, viewing the publick buildings and most elegant mansion houses.

March 2. This day I was waited upon by several gentleman to whom yesterday I had delivered letters. Those who came in my absence left cards with their names. Received a ticket from David Deis,[1] Esquire, for the St. Cecilia Concert,[2] and now quit my journal to go.

March 3. The Concert-house is a large inelegant building situated down a yard at the entrance of which I was met by *a Constable with his staff*. I offered him my ticket, which was *subscribed by the name of the person giving it*, and directing admission of me *by name*, the officer told me to proceed. I did and was next met by a white waiter, who directs me to a third to whom I delivered my ticket and was conducted in. The Hall is preposterously and out of all proportion large, no orchestra for the performers, though a kind of loft for fiddlers at the Assembly. The performers were all at one end of the hall and the company in front and on each side. The musick was good. The two bass-viols and French horns were grand. One Abbercrombie, a Frenchman just arrived, played a

[1] David Deas (d. 1775), treasurer of the Chamber of Commerce of Charleston, December, 1773.

[2] Mention of this Society is found in the *South Carolina Gazette*, November 30, 1767.

first fiddle and solo incomparably, better than any I ever had heard: I have several times heard John Turner and Morgan play a solo. Abbercrombie can't speak a word of English and has a salary of 500 guineas a year from the St. Cecilia Society. Hartley was here, and played as I thought badly on the harpsichord. The capital defect of this concert was want of an organ.

Here was upwards of two hundred fifty ladies, and it was called no great show. I took a view of them, but I saw no E———. However I saw

Beauty in a Brow of Egypt.

To be sure not a Helen's.

In loftiness of head-dress these ladies stoop to the daughters of the North: in richness of dress surpass them: in health and floridity of countenance veil to them: in taciturnity during the performances greatly before our ladies: in noise and flirtations after the music is over pretty much on a par. If our Women have any advantage it is in white and red, vivacity and fire.

The gentlemen many of them dressed with richness and elegance uncommon with us — many with swords on. We had two Macaronis present — just arrived from London. This character I found real, and not fictitious. "See the Macaroni," was common phrase in the hall. One may well be stiled the Bag — and the other the Cue-Macaroni.

Mr. Deis was very polite: he introduced me to most of the first characters. Among the rest to Lord Charles G[reville] Montagu,[1] the Governor (who was to sail next day for London), and to the Ch: Justice [2] and two of the Assistant Judges, and several of the Council.

Nothing that I now saw raised my conception of the mental abilities of this people: but my wrath enkindled when I considered a King's Governor.

March 3. Spent in viewing horses, riding over the town and into the vicinity, and receiving formal complements.

March 4, *Thursday*. Dined with four other Gentlemen with David Deis, Esq. Table decent and not inelegant: provisions indifferent, but well dressed: no apology: good wines and festivity. Salt fish brought in small bits in a dish made a corner. The first toast, the king: the second, a lady: the third, our friends at Boston and your (meaning my) fire-side. The master of the feast then called to the *gentleman* on his right hand *for a lady:* this was done to every one, except to the ladies at table (Mr. D's daughters about

[1] Governor from 1765 to 1773. His successor, Lord William Campbell, was commissioned July 8, 1773.

[2] Thomas Knox Gordon.

sixteen and eighteen) who were called upon for a *gentleman* and gave one with ease. The ladies withdrew after the first round — the father seemed displeased at it. Glasses were changed every time different wine was filled. A sentiment was given by each gentleman and then we were called to coffee and tea. No compulsion in drinking, except that a bumper was called for at the third toast. Politicks an uninteresting topick.

March 5, Friday. Dined at a very elegantly disposed and plentiful table at the house of John Matthews Esqr (son in law of Col. Scott) [1] in company with the Ch. Justice of St. Augustine, and several other gentlemen. Puddings and pies brought in hot after meats taken away. The flour of the place in general is indifferent. First toast, The King and his friends. The master of the feast calls upon *his lady* for *a gentleman* as a second toast — given with ease. Ladies go round as toasts. The females withdraw, and sentiments succeed. No compulsion in drinking: no interesting conversation. Good wines.

March 6. This day was to have been spent with Thomas Loughton Smith Esqr.[2] at his country seat. Bad weather prevents, and I take what is called a family dinner with him. A prodigious fine pudding made of what they call rice flour. Nick-nacks brought on table after removal of meats. Ladies ask the gentlemen to drink a glass of wine with them: Upon a gentleman's asking a lady to do the like, she replies "G—— bless you, I thought you never would ask. I have been waiting for you this half hour."

First toast, Our Boston friend and your good health. Sir: the unmarried lady (of nineteen) at my right, "your good health and best affections Sir!" Miss ——— your toast, madam. "Love and friendship and they who feel them!" Toasts called for from the guests, etc., till coffee, etc. Mr. Smith's house furniture, pictures, plate etc. very elegant — wines very fine. Mrs. Smith shewed me a most beautiful white satin and very richly embroidered lady's work-bag, designed as a present for a lady in London. Miss Catherine Ingliss, her sister, a still more finely embroidered festoon (as they called it) of flowers. Both their own work; and far surpassing anything of the kind I ever saw.

Before dinner a short account of the late disputes with the Governor Lord Charles G. Montague, and the state of matters at present.

No politicks after dinner.

[1] In the Hayne Records (*S. C. Hist. and Gen. Mag.*, XI. 92) is found the entry: "John Matthews, Goosecreek, Sally Scott S[pinster], Boston, Jan. [1770]."

[2] Thomas Loughton Smith (1741–1773) married, 1763, Elizabeth, daughter of George Inglis, merchant. He died in April, 1773, from injuries received by a fall from his horse: *S. C. Hist. and Gen. Mag.*, IV. 252.

In walking with ——— occurred a singular event, of which Balch[1] could make a humourous story.

March 7, *Sabbath.* Went to St. Phillips Church:[2] Very few (comparatively speaking) present, though this former part of the day is the most full: A young scarcely-bearded boy read prayers, with the most gay, indifferent and gallant air imaginable: very few men and no women stand in singing-time. A very elegant piece of modern declamatory composition was decently delivered by another clergyman, by way of sermon from these words in Job "Acquaint now thyself with GOD, that good $\frac{\text{will or}}{\text{may}}$ come of it."[3] Having heard a young church-parson very coxcomically advance a few days before, that no sermon ought to exceed twenty-five minutes, I had the curiosity to see by my watch whether our clerical instructor was of the same sentiment, and found he shortened the space above seven and one-half minutes. It was very common in prayer as well as sermon-time to see gentlemen conversing together. In short, taking a view of all things, I could not help remarking in the time of it, that here was not, certainly, "*solemn mockery.*"[4]

This church is the most decorated within, though not the most splendid without, of any in the place.

I find that in the several places of public worship, which I have visited, that a much greater taste for marble monuments prevails here, than with us to the northward.

I had noticed before, and could not help renewing a remark, that a majority of both sexes at public assemblies appear in mourning.

I have seen and have been told, that mourning apparel at funerals is greatly in fashion.

Dined with considerable company at Miles Brewton, Esqr's,[5] a gentleman of very large fortune: a most superb house said to have cost him 8000£ sterling. The grandest hall I ever beheld, azure

[1] Nathaniel Balch, hatter, of 72 Cornhill opposite the head of Water Street, a wit of the day. *Recollections of Samuel Breck*, 108; Willard, *Memories of Youth and Manhood*, I. 209.

[2] Built in 1723 and destroyed in the fire of February 15, 1835. An account of it is in *Year Book of Charleston*, 1880, 265; 1896, 319. The rector at this time, Rev. Robert Smith, was in England. His assistant was Robert Purcell. Both were of English birth.

[3] "Acquaint now thyself with him, and be at peace: thereby good shall come unto thee." Job XXII. 21.

[4] "This divine after shewing that avocations, business, etc., precluded a certain species of acquaintance with GOD, very sagely said 'I come now to show that *there is* a certain *allowable* acquaintance with GOD.' Qu. What kind of *acquaintance* can the creature have with the Creator which is *not allowable?*" — Note on the MS.

[5] (1732–1775.) See *S. C. Hist. and Gen. Mag.*, II. 142. He was lost at sea, with his family, in going to Philadelphia.

blue satin window curtains, rich blue paper with gilt, mashee borders, most elegant pictures, excessive grand and costly looking glasses etc. Politicks started before dinner: a hot sensible flaming tory, one Mr. Thomas Shirley[1] (a native of Britain) present: he had advanced that G[rea]t B[ritain] had better be without any of the colonies: that she committed a most capital political blunder in not ceeding Canada to France: that all the Northern Colonies to the Colony of New York and even N[ew] Y[ork] also were now working the bane of G. B.: that G. B. would do wisely to renounce the Colonies to the North and leave them a prey to their Continental neighbours or foreign powers: that none of the political writings or conducts of the Colonies would bear any examination but Virginia, and none could lay any claim to encomium but that province, etc.

Strongly urged that the Massachusetts were aiming at sovereignty over the other provinces; that they now took the lead, were assuming, dictatorial, etc. "You may depend upon it (added he) that if G. B. should renounce the Sovereignty of this Continent, or if the Colonies shake themselves clear of her authority, that you all (meaning the Carolinas and the other provinces) will have governors sent you from Boston; Boston aims at nothing less than the sovereignty of the whole continent; I know it."

It was easy to see the drift of this discourse. I remarked that all this was new to me; that if it was true, it was a great and good ground of distrust and disunion between the colonies; that I could not say what the other provinces had in view or thought but I was sure that the inhabitants of the Massachusetts paid a very great respect to all the sister provinces; that she revered, almost, the leaders in Virginia and much respected those of Carolina. Mr. Shirley replied, when it comes to the test Boston will give the other provinces the shell and the shadow and keep the substance. Take away the power and superintendency of Britain, and the Colonies must submit to the next power. Boston would soon have [it] that power rules all things; they might allow the other a paltry representation, but that would be all.

The company seemed attentive, and incredulous, were taking sides — when the call of dinner turned the subject of attention.

Shirley seemed well bred and learned in the course of the afternoon, but very warm and irascible. From his singular looks and behaviour I suspect he knew my political path.

A most elegant table, three courses, nick-nacks, jellies, preserves, sweetmeats, etc.

[1] One of the name was president of the St. Cecilia Society.

After dinner, two sorts of nuts, almonds, raisins, three sorts of olives, apples, oranges, etc.

By odds the richest wine I ever tasted: Exceeds Mr. Hancock's, Vassall's, Phillips's and others much in flavour, softness, and strength.

I toast all your friends, Sir. Each gentleman gave his toast round in succession.

A young lawyer, Mr. Pinckney,[1] a gentleman educated at the Temple and of eminence dined with us. From him and the rest of the company I was assured, by the provincial laws of the place any two justices and three freeholders might and very often did *instanter* upon view or complaint try a negro for any crime, and might and did often award execution of death, issue their warrant and it was done forthwith. Two gentlemen present said they had issued such warrants several times. This law too was for *free* as well as *slave*-negroes and mulattoes. They further informed me, that neither negroes or mulattoes could have a Jury; that for killing a negro, ever so wantonly, as without any provocation, there could be nothing but *a fine;* they gave a late instance of this; that (further) to *steal* a negro was death, but to *kill him* was only fineable.

Curious laws and policy! I exclaimed. Very true, cried the company, but this is the case.

At Mr. Brewton's side board was very magnificent plate: a very large exquisitely wrought Goblet, most excellent workmanship and singularly beautiful.

A very fine bird kept familiarly playing over the room, under our chairs and the table, picking up the crumbs, etc., and perching on the window, side board and chairs: vastly pretty!

March 8. Received complementary visits from Charles Cotesworth Pinckney, Esq., Messrs. Bee, Parsons, Simpson and Scott, all gentlemen of the Bar, and others.

Was much entertained with Mr. Pinckney's conversation, who appeared a man of bright natural powers, and improved by a British education at the Temple.

This gentleman presented me with the only digest of the laws of the province,[2] made some years since by Mr. Simpson, late Att[orne]y Gen[era]l in the absence of Sir Edgerton Leigh. This present was the more acceptable as there is no collection of the Laws of this Province in a book to be had. No wonder their lawyers

[1] Both Charles Cotesworth and Thomas read law in the Temple. Probably Charles Cotesworth is intended.

[2] *The Practical Justice of the Peace, and parish-officer of . . . South Carolina,* 1761. By William Simpson.

make from £2000 to £3000 sterling a year! The rule of action altogether unknown to the people!

March 9. Spent all the morning in viewing the Public library, State house, public offices, etc. being waited upon by Messrs. Pinckney and Rutledge, two young gentlemen lately from the Temple, where they took the degree of barrister at law. The public library is a handsome, square, spacious room, containing a large collection of very valuable books, cuts, globes, etc. I received much entertainment and information from the above gentlemen; and Mr. Charles Cotesworth Pinckney informed me of an anecdote to which he was personally knowing, which I desired him several times to repeat that I might be the better able to relate it.

He said that two gentlemen being at a tavern one of them gave *the Pretender's health*, the other refused to drink it, upon which he who gave the toast threw his glass of wine in the refuser's face. For this an action of trespass was brought, and Sir Fletcher Norton closed the cause on behalf of the plaintiff, before *Lord Mansfield* at *nisi prius*.

His Lordship in summing up the case told the jury it was a most trifling affair, that the action ought never to have been brought, and they ought to find the defendant *Not Guilty*. Sir Fletcher after his Lordship had sat down rose immediately in some heat and asked his Lordship if he did not intend to say anything more to the jury.

Lord M. No, Sir Fletcher, I did not!

Sir F. I pray to be heard, then; and I do here public[ly] aver it to be law, that if one man throws wine out of a glass at another in anger, this is an assault and battery; this I declare for law, and I do here pawn my reputation as a lawyer upon it.

Lord M. Poo, poo, poo! Sir F., it is a most trifling affair.

Sir F. Poo, poo, poo! my Lord, I don't intend to be poo, poo, poo'd out of it neither! I renew my declaration, and affirm it for law — and *if the jury don't hear law from the Court, they shall from the Bar*. I affirm again that it is an assault and battery.

Here Sir Fletcher sat down, and spoke so loud as that the whole Court, bar and jury heard him, "He had as good's retract his opinion now, as do it at another time." Meaning on a motion for a new trial for misdirection of the Judge on a point of law.

Lord Mansfield did not think fit to take any notice of all this.

Compare this with some manœuvres of the *little* Gods of the North.

Mr. C. C. Pinckney who was a member of the General Assembly told me, that the members of the House, like those of the Commons of England, always sat with their hats on.

Dined with Mr. Thomas Smith; several gentlemen and ladies: decent and plenteous table of meats: the upper cloth removed, a compleat table of puddings, pies, tarts, custards, sweetmeats, oranges, macarones, etc., etc. — profuse. Excellent wines — no politicks.

March 10. *Evening.* Spent the evening at the Assembly. Bad musick, good dancing, elegantly disposed supper, bad provisions, worse dressed.

March 11. Dined with Mr. Roger Smith,[1] son to Mr. Thomas Smith: good deal of company, elegant table, and the best provisions I have seen in this town. One cloth removed, a handsome desert of most kinds of nicknacks. Good wines and much festivity. Two ladies being called on for toasts, the one gave, "Delicate pleasures to susceptable minds." The other, "When passions rise may reason be the guide."

In company were two of the late appointed Assistant Justices from G. B. Their behaviour by no means abated my zeal against British appointments: one of them appeared, in aspect, phiz, conversation etc. very near an ———.

In company dined one Mr. Thomas Bee,[2] a planter of considerable opulence. A gentleman of sense, improvement, and politeness; and one of the members of the house — just upon the point of marrying Mrs. McKenzie, a young widow of about twenty with eight or nine thousand guineas independent fortune in specie, and daughter to Mr. Thomas Smith.

From Mr. Bee, I received an assurance of the truth of what I had before heard: that a few years ago,[3] the Assistant Judges of the Superior Court of the province, being natives, men of abilities, fortune and good fame, an act of assembly passed to settle 300 Sterling a year upon them, when the King should grant them Commissions *quam diu se bene gesserint.* The act being sent home for concurrence was disallowed and the reasons assigned was the above clause. I am promised by Mr. Bee a transcript of the reasons of disallowance with the Attorney and Solicitor-General's opinion relative to the act.[4]

Upon this, the Assembly passed an act to establish the like salary

[1] "N. B. ' This gentleman though he appeared not above twenty-nine or thirty, had been four years of the General Assembly, for St. Phillips-Parish, of Charlestown." — Note on the MS. Roger Smith (1745–1805) married, in 1768, Mary Rutledge, a sister of John Rutledge.

[2] (1729–). He married his first wife, Susannah Holme, in 1761, and married Sarah McKenzie, March 16, 1773.

[3] April, 1768.

[4] *Acts of the Privy Council* (Colonial), 1766–1783, 166.

payable out of any monies that shall be in the treasury, not restricting it to any alteration in the tenure of their commission.

Mark the sequel. No *Assistant* Judges had ever before been nominated in England. Immediately upon the King's approving this last act, Lord Hillsborough in his zeal for American good, forthwith sends over one Chief Justice, and two Assistant Justices, IRISHMEN, the other two, was the one a SCOTCHMAN, and the other a WELSHMAN.[1]

How long will the simple love their simplicity? And ye, who assume the guileful name, the venerable pretext of *friends to Government*, how long will ye deceive and *be deceived?* Surely in a political sense, the Americans "are lighted the way to study wisdom." [2]

I have conversed with upwards of one half the members of the General Assembly and many other ranks of men on this matter. They see their error, and confess it; they own it a rash, imprudent, hasty step, and bitterly repent it. A Committee of the house has ranked it in their list of grievances. The only *solamen* is, "it is done. We will take care never to do the like again." The only apology is, that the Assistant Judges of the provinces were unwilling to have Circuit Court without a fixed salary: the remote parts of the province complained of being obliged to attend all causes at Charlestown: they had great reason of complaint: the regulators of this province were up as well as those of N[orth] Carolina. Such was the influence of some, that upon the disallowance of the first act, no act for creating Circuit Courts could be got through till salaries were fixed. May heaven forgive, but *the people* never forget them! Think you, that they who eyed the fleece, have got it? No! As in like cases, American fools, thirsting for honour and riches, beat the bush: British harpies sieze *the poor bird*. Righteous is the measure of GOD.

Spent a most agreeable evening with Mr. R[oger] S[mith] and was entertained with a most genteel supper.

I also have learned from several gentlemen, that it was common in this province for an executor of a will to make several hundred guineas by his office; and that with reputation. Mr. R. S. told he made the last year, by three executorships upwards of seven hundred guineas; and Mr. Bee told me, that Thomas L. Smith's father made 10,000 Sterling and more the same way.

Who would not be *his own* Executor?

[1] From Ramsay (*History of South Carolina*, II. 154) it may be assumed that these appointments were made in 1771. The chief justice was Thomas Knox Gordon, and the three assistants, Edward Savage, John Murray and John Fewtrell.

[2] See p. 437, *supra*.

March 12. Dined with Thomas Lynch Esqr.,[1] a plain, sensible, honest man, upon a solid, plentiful, good table; with very good wines.

Spent the evening with the Friday-night Club, consisting of the more elder substantial gentlemen. About twenty or thirty in company. Conversation on negroes, rice, and the necessity of British Regular troops to be quartered in Charlestown: there were not wanting men of fortune, sense and attachment to their country, who were zealous for the establishing such troops here.

I took some share in this conversation; and can't but hope I spoke conviction to many sensible minds. At the close of the evening, plans were agitated for the making a certain part of the militia of the province (to take in rotation) answer instead of foreign aid.

I here learned in a side conversation with Mr. Brewton, that two of the late Assistant Judges (gentlemen now in high and popular repute) of the Supreme Court (men too of great opulence!) who were in the General Assembly at the time of the Act mentioned two pages back, were the very means of getting it passed: "*Quid non mortalia pectora cogis Auri sacra fames?*" That they hoping to enjoy the emoluments of the grant were hot, zealous and perpetually persevering till they got it through: He informed me also of the specious arguments they used and the advantages that they took of the popular commotions. Good heavens, how much more noble a part might they have taken. They are now knawing their tongues in rage.

March 13. Spent all the morning transcribing Mr. Edward Rutledge MS. Law Reports. At eleven set off *in state* for the Retreat of T. L. Smith Esqr. Dined there and spent remainder of the day.

This day spent the most agreeably of any since my arrival in Charlestown.

A most delightful place indeed!

March 14. Bad weather: spent the day at my lodgings. Visited by Mr. Lynch, Deis, and others.

Mr. Lynch gave me a long account of the conduct of the Regulators; with the cause of their ill-success; the ease with which Tryon[2] might have been defeated.

He said he had the best information of the facts he related, and good grounds for his opinions on the matter.

March 15. Dined with company at Mr. Lynch's on turtle.

Spent the morning and afternoon in transcribing Law reports of Edward Rutledge, Esq., late student in the Temple.

[1] (1720?–1776.)

[2] William Tryon (1725–1728).

Spent the evening with Monday-night Club; introduced by Mr. Brewton. Cards, feasting, and indifferent wines.

N. B. This was at a tavern, and was the first time of my meeting with ordinary wines since my being at Charlestown.

March 16. Spent this morning ever since five o'clock in perusing Public Records of the Province which I was favored with by the worthy Mr. Bee: have marked many to be copied for me. Am now going to the famous Races.

The races were well performed, but Flimnap beat Little David (who had won the sixteen last races) out and out. The last heat the former distanced the latter. The first four miles heat was performed in eight minutes and seventeen seconds, being four miles. 2000£ sterling was won and lost at the Race, and Flimnap sold at Public Vendue the same day for £300 Sterling. Took a family dinner with Mr. Brewton, had a fine dish of politicks, had further light from one of the company (prerogative-man) into the arts used to disunite the Colonies. Sounded Mr. Brewton and Mr. Erving, when alone, with regard to a general and permanent Continental literary correspondence: the matter takes mightily.

At the races I saw a prodigious fine collection of excellent, though very high-priced horses — and was let a little into the singular art of the Turf.

March 17. Spent all the morning in copying Mr. Rutledge's Reports. Feasted with the Sons of St. Patrick. While at dinner six violins, two hautboys and bassoon, with a hand-taber beat excellently well. After dinner six French horns in concert — most surpassing musick! Two solos on the French horn by one who is said to blow the finest horn in the world: he has fifty guineas for the season from the St. Cecilia Society.

March 18. Spent in reading further reports of Mr. R[utledge] paying complementary visits of departure, and in preparation for my journey Northward.

N. B. This day advanced to Miles Brewton Esqr. thirty-one pounds sterling for one pipe of Best London Particular Madeira Wine to be sent for to the house of Pantalium, Fernandez and Co. in Madeira, and took Mr. Brewton's receipt of this date.

March 19. By reason of an order of the house of Assembly enjoining attendance of all the members, Mr. Lynch cannot set out. I am therefore to be detained this day.

Spent all the morning in hearing the debates of the House, had an opportunity of hearing the best speakers in the province.

The *first* thing done at the meeting of the house is to bring the mace (a very superb and elegant one which cost ninety guineas)

and lay it on the table before the speaker. This I am told is the way in the Commons of G[reat] B[ritain].

The next thing is for the Clerk to read over in a very audible voice, the doings of the preceeding day.

The Speaker is robed in black and has a very large wig of State, when he goes to attend the Chair (with the Mace borne before him) on delivery of speeches, etc.

T. Lynch, Esqr. spoke like a man of sense and a patriot — with dignity, fire, and laconism. Gadsden Esqr.[1] was plain, blunt, hot and incorrect — though very sensible. In many respects he resembles Bowers.[2] In the course of the debate, he used these very singular expressions for a member of parliament: "And, Mr. Speaker, if the Governor and Council don't see fit to fall in with us, I say, let the General duty law and all *go to the Devil*, Sir. And we go about our business." Parsons,[3] Jno. Rutledge, and old Charles Pinckney, (the three first lawyers in the Province) spoke on the occasion: the two last very good speakers indeed.

The members of the house all sit with their hats on, and uncover when they rise to speak: they are not confined (at least they did not confine themselves) to any one place to speak in.

The members conversed, lolled, and chatted much like a friendly jovial society, when nothing of importance was before the house: nay once or twice while the speaker and clerk were busy in writing the members spoke quite loud across the room to one another. A very unparliamentary appearance. The speaker put the questions sitting, and conversed with the House sitting: the members gave their votes by rising from their seats, the dissentients did not rise.

March 20. Set out with Mr. Lynch for his plantation on Santee River on my way to the Northward. In crossing Hobcaw ferry we were rowed by six negroes, four of whom had *nothing on* but their kind of breeches, scarce sufficient for covering.

Had a most agreeable ride, and received much information from Mr. Lynch of the manœuvres at the Congress in 1765: his relation was by no means favorable to a certain celebrated Northern Patriot, and the conduct of Livingston[4] (as L[ynch] exhibited it) ought to be remembered with unrelenting indignation and his name

[1] Christopher Gadsden (1724–1805).

[2] Jerathmeel Bowers.

[3] James Parsons (d. 1779), of the Council of Safety.

[4] Both Philip and Robert R. Livingston were in the Stamp Act Congress. As Colden described Robert as "a principal director in opposition to the execution of the Stamp Act," Philip is probably intended. He was sent to the first and second Continental Congress, but Robert entered only the second.

loaded with infamy — Caesar Rodney of Pennsylvania, Lynch and Gadsden of So. Carolina were heroes and patriots.

N. B. From what I learned from Mr. Lynch it is worth trying the experiment of planting rice in our low, marshy lands, for the purpose of feeding cows and making the most excellent flavored and yellow butter. He said he did not doubt it would answer well.

March 21. Mr. Lynch's plantation is very pleasantly situated and is very valuable.

Had a three hours tedious passage up Santee river. Crossed Georgetown river or Sampit River just at dusk. Lodged in the town and am now held in duress by a very high equinoxial gale from crossing Winyaw Bay, formed by the union of Waccamaw, Pedee and Black rivers. 'Tis prodigious fine travelling weather and requires no small share of philosophy to be contented with my situation.

N. B. I had a very fine view of a white squirrel this day in travelling through the woods.

March 22. Spent this night with Mr. Joseph Allston, a gentleman of immense income all of his own acquisition. He is a person between thirty-nine and forty, and a very few years ago begun the world with only five negroes — has now five plantations with an hundred slaves on each. He told me his neat income was but about five or six thousand pounds sterling a year, he is reputed much richer. His plantation, negroes, gardens, etc., are in the best order of any I have seen! He has propagated the Lisbon and Wine-Island grapes with great success. I was entertained with more true hospitality and benevolence by this family than any I had met with. His good lady filled a wallet, with bread, biscuit, wine, fowl, and tongue, and presented it next morning. The wine I declined, but gladly received the rest. At about twelve o'clock in a sandy pine desert I enjoyed a fine regalement, and having met with a refreshing spring, I remembered the worthy Mr. Allston and Lady with more warmth of affection and hearty benizons, than ever I toasted King or Queen, Saint or Hero.

This gentleman sent his servant as our guide between thirty and forty miles much to our preservation from very vexatious difficulties.

March 24. Lodged last night at the Plantation of Mr. Johnston, (who is now at Charlestown). Mr. Withers, brother-in-law to Mr. Joseph Allston, came as our guide about ten miles.

A most barren, dreary road: nine cows and oxen had perished within a week for want of sustenance: great difficulty to get food for man or beast.

March 25. This day left the province of South Carolina and entered that of the North.

General Remarks and Observations on South Carolina.

The constitution of South Carolina is in very many respects defective and in an equal number extremely bad.

The inhabitants may well be divided into opulent and lordly planters, poor and spiritless peasants and vile slaves. Having blended with every order of men as much as was possible and convenient, I had considerable opportunity to learn their manners, genius, taste, etc.

The whole body almost of this people seem averse to the claims and assumptions of the British Legislature over the Colonies; but you will seldom hear even in political conversations any warm or animated expressions against the measures of administration. Their fiercer passions seem to be employed upon their slaves and here to expend themselves. A general doubt of the firmness and integrity of the Northern colonies is prevalent: they say the M[assachusetts] Bay can talk, vote and resolve — but their doings are not correspondent: sentiments and expressions of this kind are common and fashionable; they arise from various causes: I imagine from envy and jealousy in some, and from artifice in others: the very remarkable difference in their manners and religious tenets and notions contribute to the same effect.

It may well be questioned whether *in reality* there is any third branch in the constitution of this government. 'Tis true they have a house of Assembly: but who do they represent? The laborer, the mechanic, the tradesman, the farmer, husbandman or yeoman? No. The representatives are almost if not wholly rich planters. The Planting interest is therefore represented, but I conceive nothing else (*as it ought to be*).

At present, the house of Assembly [1] are staunch Colonists. But what is it owing to? Bad policy on the other side of the water. The members of this house are all very wealthy, and such kind of men have in general but little solicitude about the interests or concerns of *the many:* and frequently the fittest instruments to enslave and oppress the commonality. Such extravagant disproportion in property is to the last degree impolitic and dangerous. The Council, Judges and other great officers are all appointed by mandamus from G[reat] B[ritain] nay the Clerk of the Board and Assembly. Who are and have been thus appointed? Indigent and . . . per-

[1] "Non-residents may be chosen to represent any town, if they have lands in the county; and hence a great majority of the house are dwellers in Charlestown, where the body of the planters reside during the sickly months. A fatal kind of policy!" — Note on the MS.

sons, disconnected and obnoxious to the people. I heard several of the planters say, "we none of us, when we grow old, can expect the honours of the State — they are all given away to worthless poor rascals."

The planter (like the fox) prides himself in saying the grapes are sour: his fortune inclines and makes him look with contempt on the official grandee. Thus the rights and liberties of the State are in some measure safe — but from a very unstable cause.

This government is composed of two aristocratic parts and one monarchial body: the aristocratic parts mutually dislike each other. Let us suppose a change in British policy.

Compose the Council of the first planters, fill all the Public offices with them, give them the honours of the State, and though they don't want them, give them it and emoluments also: introduce Baronies and Lordships — their enormous estates will bear it — what will become of Carolinian freedom? The luxury, dissipation, life, sentiments and manners of the leading people naturally tend to make them neglect, despise, and be careless of the true interests of mankind in general.

Hence we may suppose that when a different policy is gone into with regard to this people, there will be a very calamitous alteration in the views and conduct of the planters and therefore also with regard to the true interests of the province.

State, magnificence and ostentation, the natural attendants of riches, are conspicuous among this people: the number and subjection of their slaves tend this way. Cards, dice, the bottle and horses engross prodigious portions of time and attention: the gentlemen (planters and merchants) are mostly men of the turf and gamesters. Political inquiries and philosophic disquisitions are too laborious for them: they have no great passion for to shine and blaze in the forum or a senate.

The yeomanry and husbandmen make a very different figure from those of New England: the middling order in the Capital are odious characters.

The state of religion here is repugnant not only to the ordinances and institutions of Jesus Christ, but to every law of sound policy.

The Sabbath is a day of visiting and mirth with the rich, and of licence, pastime and frolic for the negroes. The blacks I saw in great numbers playing pawpaw, huzzle-cap, pitch penny, and quarrelling round the doors of the Churches in service-time; and as to their priests — Voltaire says "always speak well of the prior." The slaves who don't frolic on the Sabbath, do all kinds of work for themselves on hire.

The ladies of Charlestown want much of the fire and vivacity of the North, or I want taste and discernment.

There being but one chief place of trade its increase is amazingly rapid: the stories you are everywhere told of rise in the value of lands seem romantic, but I was assured they were fact.

There is a large colossal statue of Mr. Pitt in Charlestown much praised by many. The drapery was exquisitely well done: but to me, the attitude, air and expression of the piece was bad.[1]

The staple commodities are rice, indigo, hemp, tobacco, peas, skins and naval stores: the two first are the capital. The general topics of conversation, when cards, the bottle and occurrences of the day don't intervene, are of negroes, and the price of indigo and rice: I was surprised to find this so general.

Compared with the inhabitants of N[ew] E[ngland] I think it no injustice to say there are here few men of letters and science.

Slavery may truly be said to be the peculiar curse of this land: Strange infatuation! it is generally thought and called by the people its blessing. Applicable indeed to this people and their slaves are the words of our Milton:

> So perfect in their misery,
> Not one perceive their foul disfigurement.

A few years ago, it is allowed, that the blacks exceeded the whites as seventeen to one. There are those who now tell you, that the slaves are not more than three to one, some pretend not so many. But they who talk thus are afraid that the slaves should by some means discover their superiority. Many people express great fears of an insurrection, others treat the idea as chimerical. I took great pains (finding much contrariety of opinion) to find out the true proportion. The best information I could obtain fixes it at about seven to one, my own observation leads me to think it much greater.

The brutality used towards the slaves has a very bad tendency with reference to the manners of the people, but a much worse with regard to the youth. They will plead in their excuse "this severity is necessary." But whence did or does this necessity arise? From *the necessity* of having vast multitudes sunk in barbarism, ignorance and the basest and most servile employ! By reason of this slavery, the children are early impressed with infamous and destructive ideas, and become extremely vitiated in their manners, they contract a negroish kind of accent, pronunciation and dialect, as well as ridiculous kind of behaviour: even many of the grown people,

[1] See Huger Smith, in *S. C. Hist. and Gen. Mag.*, XV. 18; and C. H. Hart, in *Proceedings*, XLVIII. 291.

and especially the women, are vastly infected with the same disorder. Parents instead of talking to their very young children in the unmeaning way with us, converse to them as though they were speak[ing] to a new imported African.

From the same cause have their Legislators enacted laws touching negroes, mulattoes and masters which savor more of the policy of Pandemonium than the English constitution: — laws which will stand eternal records of the depravity and contradiction of the human character: laws which would disgrace the tribunal of Scythian, Arab, Hottentot and Barbarian are appealed to in decisions upon life limb and liberty by those who assume the name of Englishmen, freemen and Christians: the place of trial no doubt is called a Court of Justice and equity — but the Judges have forgot a maxim of English law — *Jura naturalia sunt immutabilia*[1] — and they would do well to remember that no laws of the (little) creature supersede the laws of the (great) creator. Can the institutions of man make void the decree of God?

These are but a small part of the mischiefs of slavery, new ones are every day arising, futurity will produce more and greater.

Mr. Lynch told me that he knew several negroes who had refused to implore a forgiveness when under sentence of death, though a pardon was insured on this easy term. Preferring death to their deplorable state, they died with a temper deserving a better fate. There is much among this people of what the world call hospitality and politeness, it may be questioned what proportion there is of true humanity, Christian charity and love.

March 26. Lodged the last night in North Carolina at the house of William Hill, Esq., a most sensible, polite gentleman: though a Crown Officer,[2] a man replete with sentiments of general liberty and warmly attached to the cause of American freedom.

Spent much of this day in public and private conversation with Col. Robert Howe,[3] a leading and active member of the General Assembly. Fine natural parts, great feeling, pure and elegant diction, with much perswasive eloquence. Though likewise a Crown Officer with a lucrative post[4] a staunch whig and colonist. I received much information in provincial politicks and great pleasure from his relation.

Hot and zealous in the cause of America he relished the proposed

[1] See Hobart's Reports. — Note on the MS.

[2] Receiver of duties at Brunswick.

[3] Robert Howe (1732–1785).

[4] Associate justice, and captain of Fort Johnson. See *Col. Rec. North Carolina*, IX. 798.

Continental correspondence, promised to promote it and write me by the first opportunity.

This gentleman gave me at night a three hour minute relation of the motives, views and proceedings of the Regulators, with a particular account of the battle of Allamanz [1] and the proceedings of both parties before and after the action. Being on the field he was able to give me a good account. I begun to change my opinion of the Regulators and Governor Tryon. But as is common on the next day I ———

March 27. Breakfasted with Colo. Dry,[2] the Collector of the Customs and one of the Council. A friend to the Regulators and seemingly warm against the measures of British and Continental administrations, he gave me an entire[ly] different account of things. I am now left to form my own opinion — and am preparing for a water tour to Fort Johnston, having sent Randall forward to Wilmington.

March 28. Yesterday was a most delightful day: Fort Johnston is as delightful a situation: the Commander (Robert Howe) is, if possible a more delightful fellow. A most happy compound of the man of sense, sentiment and dignity, with the *man of the world, the sword, the senate and the buck.* A truly surprising character! The relations of his past life and adventures which he gave me in private was moving and was ravishing: 'Twas joyous, passing joyous! 't was exquisite, supremely exquisite!

N. B. He has promised to transmit me some of the most finished compositions in the world. I have reason to think he will be as good as his word.

In a retired walk, Mr. Howe told me that in this government there was a select number who had mutually agreed and solemnly promised each other to keep each a regular journal not only of the public occurrences, but of the conduct of every public character. 'T is a glorious scheme — if executed will be fraught with good. He told me that having lately had some words upon political affairs with Governor Martin [3] and one of his council and tools, he took occasion to mention the existence of this society and the end of their institution — to record the actions (as he expressed it) of knaves and fools, of little villains and great, and transmit them in true characters to posterity. It had the desired effect for — Felix trembled.

I go to church this day at Brunswick, hear William Hill read prayers, dine with Colo. Dry, proceed to-morrow to Willming-

[1] J. S. Bassett, in *American Hist. Assn. Report*, 1894, 141.
[2] William Dry.
[3] Josiah Martin (1737–1786).

ton and dine with Dr. Cobham [1] to-morrow with a picked company.

Col. Dry, a member of the Council in this province furnished me with the following instruction,[2] given Governor Martin, and as Col. Dry told me Governor M. said to all the Colony-Governors likewise.

Copy.

GEORGE R.

Additional Instruction to Our trusty and well beloved Josiah Martin Esquire Our Captain General and Governor in Chief in and over our Province of North Carolina in America. Given at Our Court of St. James's the 4th day of february 1772; In the twelfth year of Our reign.

Whereas Laws *have been* passed in some of Our Colonies and Plantations in America, by which the lands, tenements, goods, chattels, rights and credits of persons, who have never resided within the Colonies where such laws *have been* passed, *have been made liable* to be attached for the recovery of debts in a manner *different* [3] from that allowed by the Laws of England in like Cases. And whereas it hath *been represented* unto us, that such laws MAY HAVE *the consequence to prejudice and obstruct* the commerce between this kingdom and our said Colonies, and to effect Public Credit. It is therefore OUR WILL AND PLEASURE [4] that you do not on any pretence whatever give your assent to or pass any bill or bills in our Province under your government by which the lands, tenements, goods, chattels, *rights and credits* of persons *who have never resided within our said Province* shall be made liable to be attached for the *recovery of debts due from such persons*, otherwise than is allowed by law in Cases of the like nature within our kingdom of Great Britain, untill you shall first have transmitted to Us, by one of Our Principal Secretaries of State, the Draught of such bill or bills, and shall have received OUR ROYAL PLEASURE THEREUPON, unless you take care in the passing of such bill or bills that a Clause or Clauses be inserted therein suspending and deferring the Execution thereof untill OUR ROYAL WILL AND PLEASURE shall be known there upon.

G. R.

Col. Dry['s] is justly called the house of universal hospitality — his table abounds with plenty — his servants excell in cookery — and his sensible lady exceeds (at least I think equals) Sister Q[uincy] in the pastry and nick-nack way.

March 29. Dined at Dr. Thomas Cobham's in company with

[1] Thomas Cobham.

[2] Printed in *Col. Rec. South Carolina*, IX. 235. The italics and capitals are Quincy's.

[3] "Query. How different — w[t] essentially so?" — Note on the MS.

[4] "Stat pro ratione voluntas." — Note on the MS.

Harnett,[1] Hooper,[2] Burgwin,[3] Dr. Tucker and others, in Willmington. Lodged also with Dr. Cobham, who has treated me with great politeness, though an utter stranger and one to whom I had no Letters.

Spent the evening with the best company of the place.

March 30. Dined with about twenty at Mr. William Hooper's, find him apparently in the Whig interest, has taken that side in the house, is caressed by the Whigs, and is now pushing his election through the influence of that party.

Spent the evening and night at Mr. Harnett's, the Samuel Adams of North Carolina except in point of fortune. Robert Howe, Esqr., Harnett and myself made the social triumvirate of the evening.

The plan of Continental correspondence highly relished, much wished for and resolved upon, as proper to be pursued.

Mr. H[arne]tt lives in taste, with philosophy and virtue.

At about eleven o'clock, Col. Howe took his leave of me, having scarce been absent from each other since our first acquaintance five days ago. From perfect strangers we became intimate. From some cause or other we have formed an apparent affection, and at parting both seem to be mutually and alike affected. "I will not take a final leave (said he at our parting) for I feel an impulse that we shall, we must, meet again." This gentleman is a very extraordinary character. Formed by nature and his education to shine in the senate and the field — in the company of the philosopher and libertine — a favorite of the man of sense and the female world. He has faults and vices — but alas who is without them? His faults are those of a high spirit — his vices those of a man of feeling.

His adventures and intrigues expressed with his fire and cloathed in his diction would form a most engaging romance.

In short his character seemed an assemblage of a Grandison and Lovelace.

March 31. Set out from Mr. Harnett's for Newbern.

April 1. This evening may be stiled that of *the Knight-errant* — not worth the trouble of recital, though it certainly had liked to have proved very momentous.

April 2. Reached Newbern about eleven o'clock A. M. in company with Captain Collett.[4] Waited upon Judge How-

[1] See Connor, *Cornelius Harnett* (1909).

[2] William Hooper (1742–1790). See *Letters of James Murray*, 114.

[3] John Burgwin.

[4] John Abraham Collett. "Captain Collet, representing to me shortly after the outrages committed at Fort Johnston by the mob, that he had the utmost reason to apprehend the leaders in that violence were concerting to employ some

ard [1] and spent about an hour with him. Did not present the rest of my letters because of the finest of the weather for travelling and no courts of any kind sitting or *even in being in the province*. Judge Howard waited upon me in the evening with recommendatory letters to Col. Palmer [2] of Bath and Col. Buncombe of Tyrrell county.[3]

April 4. Reached Bath in the evening. Did not deliver my letter to Col. Palmer, but proceeded next morning to Mr. Wingfield's parish where I spent the Sabbath.

April 5. Breakfasted with Col. Buncombe who waited upon me to Edenton Sound and gave me letters to his friends there.

Spent this and the next day in crossing Albermarle-sound and in dining and conversing in company with the most celebrated lawyers of Edenton. They appeared sensible Tryonists and prerogative-subjects. From them I learned that Dr. Samuel Cooper of Boston was generally, (they said universally) esteemed the author of Leonidas,[4] who together with Mucius Scaevola were burnt in effigy under the gallows by the common hangman in North Carolina. Here was a character who Balch could by taking off sett a jovial company in a perfect roar. He was a man of sense, but the most singular I ever saw.

April 6. There being no courts of any kind in this province; and *no laws in force* by which any could be held, I found little inclination or incitement to stay long in Edenton, though a pleasant town. Accordingly a guide offering his direction, just at evening I left the place, and proceeded just into the bounds of Virginia where I lodged the night.

legal process against him for debts he owed here in order to get him into their hands to deliver him over to the enraged people, asked my permission to go to Boston, which I could not under such circumstances refuse him, and he accordingly sailed on the 21st day of July with his little Garrison, carrying with him the carriages, Trucks, shot and small stores belonging to Fort Johnston in a transport, on board which he had embarked some days before. This gentleman, I am sorry to find my Lord, has been hurried by his vehemence and impetuosity of temper to many unwarrantable extravagancies, and according to my information he has involved himself in debt so deeply that he will never be able to shew his face again in this Country, to which I therefore wish he may never return, at least until he is able to do justice to his creditors, and to make his peace with the people now to the last degree exasperated against him." *Governor Josiah Martin to Earl of Dartmouth*, August 28, 1775. *Col. Rec. No. Ca.*, x. 234.

[1] Martin Howard, chief justice.

[2] Robert Palmer, secretary, and a member of the Council.

[3] Edward Buncombe (d. 1778). Buncombe County was named in 1791, and gave rise to the political term descriptive of speech or action without conviction — clap-trap.

[4] *Col. Rec. No. Ca.*, x. 1021–1023.

General Reflections and Remarks
on North and South Carolina
(as they rise).

The soils and climates of the Carolinas differ, but not so much as their inhabitants. Though little more than imaginary line part these people, you no sooner enter the North province before you seem to see a surprizing change of men and things.

There is an affectation too prevalent in South Carolina of superiority over the Northern colonies, especially over poor North Carolina, which was much misrepresented to me, and might therefore cause a prejudice in their favour when I found things so different from the accounts received of them. But all prejudice apart.

The number of negroes and slaves are vastly less in North than South Carolina. Their staple commodity is not so valuable, being not in so great demand, as the rice, indigo, etc. of the South. Hence labor becomes more necessary, and he who has *an interest of his own to serve* is a laborer in the field. Husbandmen and agriculture increase in number and improvement. Industry is up in the woods, at tar, pitch, and turpentine — in the fields plowing, planting, or clearing and fencing the land. Herds and flocks become more numerous, and they resemble not Pharoah's lean kine, so much as those of the Province I had just left. You see husbandmen, yeomen and white laborers scattered through the country, instead of herds of negroes and tawny slaves. Healthfull countenances and numerous families become more common as you advance North.

In Charlestown and so through the Southern province I saw much apparent hospitality, much of what is called good-breeding and politeness, and great barbarity. In Brunswick, Willmington, Newbern, Edenton, and so through the North province there is real hospitality, less of what is called politeness and good-breeding and less inhumanity.

Property is much more equally diffused in one province than the other, and this may account for some, if not all, the differences of character of the inhabitants.

Arts and sciences are certainly better understood, more relished, more attended to and better cultivated in the one province than the other. Men of genius, learning, and true wit, humour, and mirth are more numerous here than [in] the country I had just left; a country too, where the civilities I had received served to prejudice my judgment in its favour.

However, in one respect I find a pretty near resemblance between the two Colonies: I mean the state of religion. At a low ebb indeed in both provinces. 'T is certainly high time to repeal the

laws relative to religion and the observation of the Sabbath, or to see them better executed. 'T is certainly to the last degree false politicks to have laws in force, which the legislators, judges, and executive officers not only break themselves, but practically and too often openly and avowedly deride. Avowed impunity to all offenders is one sign at least that the law wants amendment or abrogation.

Alike as the Carolinas are in this respect, they certainly vary much as to their general sentiments, opinions and judgments: they may well be considered as very opposite in character, and 't is very apparent that no great friendship or esteem is entertained by one towards the other.

The slaves in North Carolina are fewer in number, better clothed and better fed, than in South, and are of consequence better servants.

A mischief incident to both these provinces is very observable, and very natural to be expected — the intercourse between the whites and blacks. The enjoyment of a negro or mulatto woman is spoken of as quite a common thing: no reluctance, delicacy or shame is made about the matter. It is far from being uncommon to see a gentleman at dinner, and his reputed offspring a slave to the master of the table. I myself saw two instances of this, and the company very facetiously would trace the lines, lineaments and features of the father and mother in the child, and very accurately point out the more characteristick resemblance. The fathers neither of them blushed or seem[ed] disconcerted. They were called men of worth, politeness and humanity. Strange perversion of terms and language! The Africans are said to be inferior in point of sense and understanding, sentiment and feeling, to the Europeans and other white nations. Hence the one infer a right to enslave the other. An African Black labors night and day to collect a small pittance to purchase the freedom of his child: the American or European White man begets his likeness and with much indifference and dignity of soul sees his progeny in bondage and misery, and makes not one effort to redeem his own blood. Choice food for satire — wide field for burlesque — and noble game for wit! unless the enkindled blood inflame resentment, wrath and rage, and vent itself in execrations.

The staple commodities of North Carolina are all kinds of naval stores, Indian corn, pork, peas, some tobacco, which they generally send into Virginia, hemp, flax-seed and mustard seed: the culture of wheat and rice is making quick progress, as a spirit of agriculture is rising fast.

The favorite liquors of the Carolinas are claret and port wines in preference to Madeira and Lisbon.

The commerce of North Carolina is much diffused through the several parts of the province. They in some respects may be said to have no metropolis, though Newbern is called the Capital, as there is the seat of government. It is made a question which carries on most trade whether Edenton, Newbern, Willmington or Brunswick. It seems to be one of the two first.

There is very little, if any kind of commerce or intercourse between the North and South province of Carolina, and there is very little, if any more, of regard in the inhabitants of the one Colony for those of the other.

The present state of North Carolina is really curious; there are but five provincial laws in force through the Colony,[1] and no courts at all in being. None can recover their debts except before a single magistrate where the sums are within his jurisdiction, and offenders escape with impunity. The people are in great consternation about the matter. What will be the consequences are problematical: many people, as Lord Bottetourt says "augur ill" on the occasion.

April 6. Lodged at Suffolk.

April 7. Dined at Smithfield. Two considerable towns in Virginia. Ever since I have left South Carolina, as I verge north the lands and culture of them have gradually changed for the better. Excellent farms and charming large cleared tracts well-fenced and tilled are all around me. Peach-trees seem to be of spontaneous growth in the South provinces, and I had them all along in their proudest bloom. Whole fields of them looked beautifully. I saw about six acres all in high bloom, and very regularly planted, and every other row of trees was of the apple and pear kind, not yet in blossom. An extent of about twelve or fifteen acres of peach-trees regularly set in equidistant rows, intermixed all about with many small pine trees of exquisite verdure, formed a prospect to the eye most delightful and charming.

April 9. I arrived this morning about ten o'clock at Williamsburg, the Capital of Virginia. 'T is a place of no trade, and its importance depends altogether on its being the seat of government and the place of the College. I have just been taking a view of the whole town. 'T is inferior much to my expectation. Nothing of the population of the North, or of the magnificence and splendor of the South. The College makes a very agreeable appearance in

[1] This is probably an echo of the "Six Confirmed Laws" of 1715, which were really a codification of all statutes prior to that year. See *Col. Rec. No. Ca.*, XXIII. i.

front, but in the rear it is scandalously out of repair. The large garden before the College is of ornament and use. There is but two private buildings of note, the Governor's and the Atty. General's. The first is not remarkable: the other is in the Chinese taste, and is the handsomest of the two.

The Capitol or State-house is called a very handsome building; I have as yet seen only the outside, I shall visit the inward parts of it on the morrow.

The College in this place is in a very declined state.

This day I purchased a very handsome edition of the Virginia Laws of Messrs. Purdie and Dixon, and paid them therefor 43/ l[awful] m[one]y, and they have engaged to convey it to Boston.

Hewes's crab-apple is much cultivated in Virginia. I have tasted better cyder made of it than any I ever drank made from Northern fruit. The cyder is quite pale and clear, but of most exquisite flavor. 'T is certainly worthy taking much pains to propagate these trees with us.

April 10, 11, 12. The State-house is more commodious inside than ornamental without. The Council Chamber is furnished with a large, well-chosen, valuable collection of books, chiefly of law. The Court of Justice is very ill-contrived.

I was present at their General Court, which is the Superior Court of Justice and the Court of Chancery of the province. But had only an opportunity of hearing short motions made by their most eminent council at the Bar; the Chancery business being always the employ of the first week, and the Crown or civil business that of the second and succeeding weeks.

The constitution of the Courts of Justice and equity in this colony is amazingly defective, inconvenient and dangerous, not to say absurd and mischievous.

This motley kind of court called the General Court is composed of the Governor and Council, who are appointed and created by mandamus from the Crown, and hold *bene placito*. I am told that it is no uncommon thing for this Court to sit one hour and hear a cause as a Court of Law; and the next hour, perhaps minute, to sit and audit the same matter as a Court of Chancery and equity: and if my information is good, they very frequently give directly contrary decisions. Voltaire, his Huron or Pupil of Nature might here exercise their talent of wit and sarcasm.

It was a matter of speculation with me how such a constitution and form of judicial administration could be tolerable: I conversed with divers who seemed to have experienced no inconvenience and of course to apprehend no danger from this quarter; yet they readily gave in to my sentiments upon the subject, when I endeavoured to

show the political defects and solecism of this constitution. However I saw none who gave me very satisfactory accounts of the true reason that more mischievous consequences had not flowed from this source. Perhaps it was owing to my misfortune in having no letters to any of the Bar, and but one to any gentleman within many miles of Williamsburgh, though I had many to persons of distinction expected in town next week. I could only regret, but many circumstances deprived me of remedying this inconvenience.

April 11. I spent the evening with two of the Council of the Province, and our conversation was wholly political and inquisitive. They invited me to dine with the Council next day and offered to introduce me to the Governor, the Earl of Dunmore,[1] but I was unfortunately obliged to waive their invitation and offer.

The state of religion here is a little better than to the South; though I hear the most shocking accounts of depravity and abominable wickedness of their established clergy, several of whom keep public taverns and open gaming houses: Other crimes of which one [of] them (who now officiates) is charged and . . .

(*Two pages of the book have been torn out.*)

safe-guard from future invasion and oppressions. I am mistaken in my conjecture, if in some approaching day Virginia does not more fully see the capital defects of her constitution of government and rue the bitter consequences of them.

The commonality and farmers through this province were a vastly more ignorant and illiterate kind of people than with us; yet their farms and fields, displayed great marks of fine husbandry and much industry and improvement: but a spirit of enquiry and literature is through this whole colony manifestly subordinate to a spirit of gaming, horse-racing and jockeying of all kinds: — even cock-fighting is a very predominant passion.[2] Three or four matches of this sort were advertised in the public prints of Williamsburgh

[1] John Murray, fourth Earl of Dunmore (1732–1809).

[2] It is curious to compare this opinion with that expressed by Rev. Jonathan Boucher on his first coming to Virginia, 1759: "But then (w't a Pity!) their Manners and Conversation are almost in every Thing the very opposite to my Taste. Instead of manly instructive Discourse, subjects of Gaiety and Levity are always started and always attended to. 'Tis true, whether from the Climate, or their Manner of Education, being early introduc'd into Company, and soon commencing ripe, they are a livelier, readier wit than we in England, in a general Way, may boast of. But this, which if properly applied might make them shine most eminently laudable, is employ'd (O Shame!) in dressing and other Pleasures in esteemable Colours. In spite of all this, I could still make tolerable shift amongst them, might I erase another Article out of my Catalogue of Complaints against them. I mean their forward intrusion which subjects you to hear obscene Conceits and broad Expression; and from this, there are times when no sex, no Rank, no Conduct can exempt you." *Maryland Hist. Mag.*, VII. 4.

and I was a witness to five in the course of my journey from that town to Port-royal.

The Hewes's crab apple much cultivated in this province: and increases fast in repute for making the best cyder.

An aristocratical spirit and principle is very prevalent in the laws, policy and manners of this Colony, and the law ordaining that estates-tail shall not be barred by common recoveries is not the only instance thereof.

April 16. Crossed Potomack-river and arrived in Maryland. Through Virginia you find agriculture carried to great perfection, and large fields (from ten to thirty acres extent) are planted with peach-trees, which being all in bloom made my journey vastly agreeable. The purpose of raising these trees is the making of brandy, a very favorite liquor. The land evidently grows better as I verge north, and as stony and rocky ground becomes more frequent. The melody of the fields and woods through Virginia is greatly beyond the Carolinas. The culture of corn and wheat is supplanting very fast that of tobacco in this province.

I spent yesterday chiefly with young men of fortune: they were gamblers and cock-fighters, hound-breeders and horse-jockies. To hear them converse, you would think that the grand point of all science was properly to fix a gaff and touch with dexterity the tail of a cock while in combat. He who won the last match, the last main, or last horse-race assumed the airs of a hero or German potentate. The ingenuity of a Locke or the discoveries of a Newton were considered as infinitely inferior to the accomplishments of him who knew when to shoulder a blind cock or start a fleet horse.

I had hitherto heard Virginia famed for hospitality and politeness. I made not these discoveries. It abounds with knaves and sharpers, and those who are adroit at Lord Bacon's left-handed wisdom. They have several wise men and patriots; but even these are much belied, if they have not been guilty of practices inconsistent with common honesty. 'T is according to Shakespear, the spur of the place to be subtle and trickish.

Having now finished my tour through those Southern provinces which boast most of their politeness, taste and the art of true living, I am naturally led to consider the justness of their good opinion of themselves.

"One affronts (says Voltaire) a whole nation, if one doubts of its being placed at present at the summit of taste. The best way is to wait until time and example shall instruct a nation wherein it errs in its judgment and taste." It is really affecting to consider what a prodigious number of men have not the least spark of taste,

have no relish for the fine arts. Taste, like philosophy, falls to the lot of only a small select number of privileged souls. It was in vain that (Ovid said,) GOD has created us with countenances which look towards the heavens (*erectos ad sidera tollere vultus*) for men are almost all bent towards the earth.

April 19. The soils through Virginia and Maryland are mostly of a redish colour and sandy substance.

Maryland is very hilly and abounds in oak trees.

To the south of Virginia the public roads are through a level, sandy, pitch-pine barren: when you enter Virginia, and in proportion as you come north, you change the plain for hills, and pitch-pines for oaks; and the goodness, value, and improvement of the soil is very correspondent to this alteration of appearances.

The tobacco of Maryland, as I was uniformly told both there and in Virginia, bears a preference in all foreign markets and carries a proportionable advance of price. The Maryland tobacco goes under the denomination of coloured tobacco, and is of a bright yellow aspect, and the very best of it verges near to a whitish bright colour. This colour arises chiefly from the nature of the soil, but in some measure also from the mode of curing it: the Marylander in this respect taking more pains than the Virginian.

The clergy and people of this province are engaged in a very bitter and important contest; and if we may judge by their public papers 't is like to prove a very wordy war.

Till this controversy begun, which is not of very long standing, the clergy received from all taxables, which are all men, black and white, and all women, except white women, from sixteen to sixty, unless exempted for age or infirmity by County-Court according to positive law, forty pounds of tobacco a year: and this tax is payable by all religious sects and denominations without exception.[1] Curious craft! Jesuitical policy! Rare sport for the genius of Voltaire! The clergy tell us with immaculate truth and still more unhypocritical solemnity, "the religion and kingdom of CHRIST and his followers are not of this world." 'T is certainly happy for mankind that these essay-masters of religion and the *faithful* are inducted into their office by nothing more than temporary State-

[1] "Church Affairs in this Part of the World continue, in a regular Progression, to deteriorate: and, if they go on, as they have for some Months Past, I think twelve months from this time is the longest Period it can be possible for our Church to exist. It is terrible I do assure you. I have not received one penny for the two years I have been Incumbent of this Parish [Prince George's County]: and to a Man, whose daily Bread depends on his Yearly, if not daily Income, you will guess how convenient all this must be." *Jonathan Boucher to Rev. Mr. James*, November 16, 1773. *Maryland Hist. Mag.*, VIII. 183.

power, and their commissions are only *durante hâc vitâ:* 't is well for the Cloth that no express positive institution is *in force and use*, limiting their authority, revenue and office *quam diu se bene et* CHRISTIANA *fide gesserint.*

The culture of tobacco is declining, and that of grain is rising fast, through this province.

St. George's County and Elk-ridge tobacco is deemed here to be of the best quality.

April 20, 21, 22. Maryland is the finest wheat country in the world: the vast extended fields of that and other grains all through the country affords great pleasure to the lover of mankind and the useful arts; and the exquisite verdure which at this season covers these fields presents a prospect highly gratifying to the sensualist and lover of nature.

The Marylanders are much attached to that vile practice — cock-fighting — equally degrading sense, sentiment and humanity. I met with two parties of the middling rank in life who had each spent three successive days at this inglorious amusement, and as many nights in riot and debauchery.

I spent about three hours in company with the famous Daniel Dulany, Esq.[1] (author of the "Considerations"),[2] the Attorney General of the province, and several others of the Bar, and gentlemen of the province. Dulany is a diamond of the first water, a gem that may grace the cap of a patriot or the turban of a sultan.

A most bitter and important dispute is subsisting and has long subsisted in this province touching the fees of the officers of the colony and the Governor's proclamation relative thereto. At the conference of the two houses (which I have in print)[3] the dispute was conducted (as it is universally said) by Daniel Dulany of the Council and the Speaker Tilghman and [*blank*] of the Lower House. This dispute though managed with good sense and spirit, breathes an acrimony, virulence, and unmannerly invective not honorary to the parties and inconsistent with the rules and dignity of parliament.

The same dispute is now kept up in the public papers by Honorable Daniel Dulany, Esq., on one side and Charles Carroll, Esqr., of Carrolton on the other, with amazing mutual hatred and bitterness. The signature of Dulany is "Antillon," that of Carroll is

[1] (1721–1797.)

[2] *Considerations on the Propriety of imposing Taxes in the British Colonies*, 1765. It is reprinted in *Maryland Hist. Mag.*, VI. 374; VII. 26.

[3] *Proceedings upon the Conference, the Address to the Governor* [Eden] *upon the Subject of his Proclamation, the Resolves therewith sent, and the Governor's Answer thereto*, 1772.

"The first Citizen." Carroll and Dulany are men of prodigious fortunes, and their families have been at open enmity many years. Carroll and his father are professed Roman Catholicks, each of them keeping a Priest and Private Chapel in their respective houses.

There are upwards of 5000 Roman Catholicks in this province.

I attended the Supreme (called the Provincial) Court on two days, but no one cause or motion was argued, and I had therefore no good opportunity to judge of the talents of the Bar, but from some little specimens and appearances I conjecture here is not much of the superlative.

Daniel Dulany who heretofore practiced with great reputation is said to have spoke with as much sense, elegance and spirit as he writes: if so he must equal, if not go beyond, all I have yet seen or heard.

The commonality seem in general through this province to be well-dispositioned and friendly towards strangers, and pretty industrious. But I saw nothing to lead me to suppose they in any measure surpassed the New Englanders in either of these respects.

Baltimore is the largest, most populous and trading town in this province.

Annapolis is the metropolis or seat of government, and the place of the residence of many of the most wealthy citizens; but it is a mighty poor, diminutive, little city, and makes a very contemptible appearance.

April. As soon as you enter Pennsylvania-government, the regularity, goodness, and the strait, advantageous disposition of the public roads are evidences of the good policy and laws of this well regulated province.

Pennsylvania is said to be not so fine a wheat country as Maryland, but a better grazing country. Cattle cover the pastures in great abundance.

Very fine streams of water are every where dispersed through this land, and as you approach the Capital a prospect of the River Delaware on which Philadelphia is situated affords a delightful scene.

My journey for this several days has not only been delightful from the gratifications of the eye, but the exquisite scent from blooming orchards gave a rich perfume, while sweetest melody of birds was truly charming to the ear.

April 24th. Went to public worship at St. Peter's Church, and heard the celebrated orator, Rev. Mr. Coombs,[1] an

[1] Thomas Coombe (1748–1822). See Hildeburn, *Inscriptions in St. Peter's Churchyard*, appendix. John Adams described Coombe as a "copy" of Duché. St. Peter's, founded as a chapel of ease to Christ Church, is on the southwest corner of Third and Pine streets.

Episcopalian. He labored to speak with propriety and was therefore not natural, altogether; he was a little affected, but spoke well. This may seem a paradox, but I can't better convey my idea of him. In prayer, he had the fault of most priests, especially those who use established forms, his emphasis, accent, look and gesture was not conformable to his subject, station and language. He made an extempore prayer before sermon, which in point of sentiment, propriety, expression and true sublimity exceeded anything of the kind, I ever heard. This prayer he uttered with singular grace. His sermon was twenty minutes in length, and was an extreme fine, moral, deistical, elegant declamation — decorated with all the beauties of polished language and rhetorical utterance: it closed most charmingly — I was in raptures.

The Church is beautifully neat: there is no Lord's prayer, commandments or creed over the communion table, and the pulpit fronts about [1] the whole congregation except the clerk and one other person sat all singing time, till at the end of the second singing, when the whole church rose at *Gloria Patri*. The dress and demeanor of the audience was quite quakerlike, decent and modest.

Rev. Mr. Blair [2] in the evening told me that he worshipped *this Sabbath at this church*. He now appeared in dress and manners quite the layman. In the evening I heard that truly sensible devout man and great orator Mr. Jones; Take him for all in all, and he is the best reader and public speaker I ever heard in the pulpit.

April 25. This morning at sunrise took a delightful ride of about fourteen miles into the country. This country is a perfect garden. I had almost said an Eden. However I saw it at the highest advantage.

On my return was waited upon by young Dr. Shippen [3] and Mr. Thomas Smith a merchant and Mr. Arodi Thayer.

April 27. Feasted with the Superior Court Judges and all the bar on turtle etc. Had much conversation with *the Farmer*, Mr. Galloway, the Speaker of the House, and others on politicks. Introduced by Mr. Reed, an eminent lawyer, to whom I had a letter from the Honorable Thomas Cushing, Esqr.

April 28. This forenoon John Dickinson, Esqr., waited on me at my lodgings and spent about an hour with me, and engaged me to dine with him third of May at his country-seat.

Compared with the honours paid the above gentleman in *all the other provinces*, you may justly say "A prophet is not without

[1] Something omitted in the MS.

[2] Samuel Blair, p. 474, *infra*.

[3] William Shippen (1736–1808). *Penn. Mag. of Hist. and Biog.*, I. 109.

honour, *save in his own country.*" A like compliment paid me by Mr. Stanton.

Dined with Jona. Smith a very worthy and sensible merchant with several very worthy and sensible lawyers.

April 29. Dined with Mr. Thomas Smith merchant in Philadelphia and a select company. Was visited in the morning by the Rev. Mr. Ewing [1] who spent two hours with me and with whom I dine on [the] fifth [of] May. He appears quite the man of sense, breeding and catholicism, and he gave me much insight into the present state of the College in this place. To the South and North of this province we have by much too exalted an idea of it.

[*April*] 30. Waited upon this morning for about an hour by Chief Justice Allen [2] and his sons.

Dined at the house of that very sensible polite and facetious lawyer, Joseph Reed Esqr., in company *with the Farmer*, Judge Jared Ingersoll,[3] several other lawyers and merchants. Our discourse altogether political, polite and entertaining.

Mrs. Reed the daughter of the late Dennis Debert Esqr.[4] (our agent) is an ornament of her own sex, and the delight of ours.

Towards evening Judge Ingersoll and Mr. Reed waited on me round the town to show me its environs and public buildings.

May 1. Took a three hours' ride with Mr. Reed round the vicinity of Philadelphia: received much information from him relative to Mr. Dickinson (the Farmer's) manners, disposition and character: as also touching Chew and Galloway.[5]

Feasted with the Sons of St. (alias King) Tammany.[6] Three French horns, bassoon, three fiddles, etc., before and after dinner.

The account I have received of Bethlem and its inhabitants, who are all Moravians, is truly singular and surprizing.

May 2. Went to the public worship of a Roman Church. Such ceremony, pomp, and solemnity were surprizing, entertaining and instructive. The devotion of priests and people were evidences of the force of superstition and priestcraft. The deepest solemnity of worship and musick: the greatest sanctity of countenance and gesture.

While external forms and appearances made a deep impression

[1] John Ewing (1732–1802), pastor of the First Presbyterian Church, Philadelphia.

[2] William Allen (*c.* 1710–1780).

[3] (1749–1822), of Connecticut birth.

[4] See *Life of Esther De Berdt.*

[5] Benjamin Chew (1722–1810), and Joseph Galloway (*c.* 1729–1803), loyalists.

[6] On Tammany and the Philadelphia Society, see *Penn. Mag. of Hist. and Biog.*, XXV. 433; XXVI. 7, 207, 335, 443. An account of this particular meeting is in *Ib.*, XXV. 446.

on my own mind, I could easily conceive how much deeper they must impress others. While attention held me mute, reason lost part of her influence, and left subsequent reflection to lead me to a better judgment.[1]

In the words of the New England psalms "In me the fire enkindled is."

Attended the Moravian-worship: the softest kind of vocal and instrumental musick made some compensation to the ear for the gross affronts offered the understanding. More incoherent, fulsome, absurd and almost impious nonsense I never heard.

The prayers, addresses and worship of this sect seem very much confined to the second person in the Trinity.

N. B. I dined this day with Mr. Startin.[2]

May 3. The morning and forenoon spent between reading and amusements of the itinerary kind.

Dined with the celebrated Pennsylvania Farmer, John Dickenson Esqr., at his country seat about two and one-half miles from town. A large company were very elegantly entertained with turtle and a plenteous table.

This worthy and arch-politician, (for such he is though his views and disposition lead him to refuse the latter appellation) here enjoys *otium cum dignitate* as much as any man. Take into consideration the antique look of his house, his gardens, green-house, bathing-house, grotto, study, fish-pond, fields, meadows, vista, through which is a distant prospect of Delaware River, his paintings, antiquities, improvements, etc., in short his whole life, and we are apt to think him the happiest of mortals. I verily believe he enjoys much true felicity: but as Whitfield said of the man in the Gospel, did you ever see a man of his station without a *but*. I am mistaken, if this engaging, and strictly speaking charming man, has not his.

He was polite enough to repeatedly request my acceptance from him of the Pennsylvania laws, and I was unpolite and thoughtless enough as often to refuse them. However I have this excuse, I had before refused a like offer from Mr. *Speaker* Galloway, and had engaged one of the edition now printing. I should have accepted this latter offer, if I had thought better.

I this day had confirmed to me, what I ever believed — that a certain North American Dr. [Franklin] is a very trimmer — a very courtier. Perhaps my former sentiments might make the conviction easier — however I had (to me) satisfactory evidence.

May 4. Spent about two hours in private conversation with

[1] See Adams, *Familiar Letters*, 46.

[2] Charles Startin, who married Sarah, daughter of Richard Clarke, of Boston.

Chief Justice Allen. He gave me one new piece of intelligence, which was, that Dr. Franklin was the first proposer of the STAMP ACT: Mr. Allen said he knew this certainly to be fact, I might depend on it: that George Grenville told him so, and he was certain of it from other quarters.

N. B. January, 1775, London. I am now very well satisfied that the above named Dr. has been grossly calumniated: and I have one more reason to induce me to be cautious how I hearken too readily to the slander of envious or malevolent tongues. This minute I thought it but justice to insert in order to take off any impression to the disadvantage of Dr. Franklin, whom I am now fully convinced is one of the wisest and best of men upon earth: one of whom it may be said, that this world is not worthy.

J. QUINCY, JUN.

I find men who are very great foes to each other in this province, unite in their doubts, insinuations and revilings of Franklin.

Dined with William Shippen, junr., brother of Mrs. Blair.[1]

May 5. Dined with Rev. Mr. Ewing, to whom I was recommended by Rev. Mr. How.[2]

Spent the afternoon with a large company at Mr. Thomas Smith's.

May 6. Was attended by Dr. Rush to the mansion of one of the Superintendents of the Romish Chapel. Mr. Farmer being out of town, Mr. Molineux (an Englishman from Lancaster in England, and joint Superintendent with Mr. F.) carried us to see the inner apartments of the dwelling house and the Old Chapel. The picture of the Virgin Mary feeding Jesus Christ over the altar of the Old Chapel was a very good piece of painting; the painting exhibiting his crucifixion in the New Chapel is in my opinion much better done.

Mr. Molineux told us very freely that he and Mr. Farmer were both of the order of the Jesuits. He and the sexton (a Dutchman) on entering the Chapel sprinkled themselves with holy water and crossed themselves: on approaching the communion-table bowed the knee very low, and on entering within performed the same ceremony, and the like at their departure.

We were not asked to come within the communion, nor presented with a sight of the nick-nacks I had seen at a distance the last Sabbath.

Molineux's character is to me problematical: Farmer appears much of the devotee.

[1] Susanna Shippen (1743–1821), married Samuel Blair (1741–1818). He was pastor of the Old South Church, Boston, 1764–1769.

[2] Probably Joseph Howe, of the New South Church, 1773–1775.

May 6. Dined with Dr. [*blank*] Cox, a worthy, sensible, polite, opulent merchant, who has a most accomplished lady to his wife. In the afternoon went with a number of gentlemen to see the hospital, and hear a lecture from young Dr. Shippen. The curiosities of this hospital are far beyond anything of the kind in North America. Dr. S. gave a very learned, intelligible, elegant and concise lecture, which did him honor as a physician, composuist and orator.

Returned and supped with Dr. Cox and spent a very social night.

May 9. This day I was to have dined with Mr. Peter Whycoff merchant, but having met with Thomas Oliver, Esqr., of Cambridge,[1] who was returning home, I embraced the opportunity of so agreeable company, and set out for New England ten days earlier than I intended. I was also obliged to decline the invitation of Chief Justice Allen to dine with him, on a like account.

Our tour through Pennsylvania on the borders of the River Delaware was variegated by those inchanting prospects of sea, navigation, land, industry and plenty, which serve to delight the senses and elevate the mind.

General Remarks and Observations on Pennsylvania.

The Pennsylvanians as a body of people may be justly characterized as industrious, sensible and wealthy! the Philadelphians as commercial, keen and frugal: their œconomy and reserve have sometimes been censured as incivility and avarice, but all that we saw in this excellent city was replete with benevolence, hospitality, sociability and politeness, joined with that prudence and caution natural to an understanding people who are alternately visited by a variety of strangers differing in rank, fortune, ingenuity and character.

The legislative body of this province is composed of the Governor and the representatives of the people, and the stile of their acts are in the name of the Governor by and with the consent and advice of the freemen of the province of Pennsylvania.

I attended three several days the setting of the Superior Court, which is as contemptible a one as I ever saw. Without learning, dignity and order a court will soon lose much of its authority and more of its repute.

The bar are a very respectable body.

[1] Son of Robert Oliver, and Lieutenant Governor. See Paige, *History of Cambridge*, 619.

The bettering-house,[1] hospital and state-house are the public buildings of the city, but rather well calculated for use than elegance or show.

All sects of religionists compose this city, and the most influential, opulent and first characters scarce ever attend public worship anywhere. This is amazingly general and arises partly from policy, partly from other causes. A man is sure to be less exceptionable to the many, more likely to carry his point in this province, by neglecting all religious parties in general, than adhering to any one in particular. And they who call themselves Christians much sooner encourage and vote for a deist or an infidel, than one who appears under a religious perswasion different from their own. *Tantum religio potuit suadere.*

There is a proprietary influence in this province destructive of a liberal conduct in the legislative branch and of [*blank*] in the executive authority here.

The House of Representatives are but thirty-six in number, as a body held in great, remarkable and general contempt, much despised for their base acquiescence with the views and measures of the proprietary party, and singularly odious for certain provincial manœuvres too circumstantial to relate.

Their debates are not public, which is said now to be the case of only this house of commons throughout the continent. Many have been the attempts to procure an alteration in this respect but all to no purpose.

The influence which governs this house is equal if not superior to anything we hear of but that which governs the British parliament; and the proprietor is said to have as *dead a set* in a Pennsylvania Assembly as Lord Bute or North in the English House of Commons.

This Government is in great danger from this quarter. But a lineal successive defect of capacity, want of policy, glaring avarice and oppressive measures in the Penn family is said to have prevented and guarded against much of the mischief which might otherwise have taken place. But should a subtle and genuine keen modern statesman (a Sir Robert Walpole for instance) arise from this stock, great and important manœuvres may be expected. This family lost much of their provincial influence by renouncing the religion of their ancestors and of the Colony in general for that of Episcopacy.

Notwithstanding the proprietary influence before spoken of, there is a certain Quaker interest which operates much against the

[1] Reformatory.

Proprietor in land causes in the courts of common law, where the jury frequently give verdicts against the opinion of the judges. In the House of Representatives the leaders of the Quaker party are often of the Proprietary likewise. All general questions and points are carried by the Quakers, that is, by their union they defeat the operations of all other sects in questions which any way relate to or may in the end affect religious concerns. But they are very public-spirited in all matters of public edifices and charitable institutions.

There is also throughout the whole province among the husbandmen a spirit of industry and usefull improvement.

There is no militia in the province and of course no seeking after petty commissions etc. The advantages and disadvantages of this is a topick of doubtful disputation: we shall never all think alike on this head.

Many of the Quakers and all the Moravians hold defensive war lawfull; offensive otherwise.

There is a general disliking, not to say antipathy among the Quakers, against N[ew] England, and this aversion has its influence in their judgment on the men and things of that country, and especially in their opinions concerning the public transactions of the Massachusetts Bay. They are frequently calling to mind and often relating little anecdotes of the severities used towards their ancestors in that province. No doubt the story is exaggerated, but they give it credit, and feel accordingly.

The streets of Philadelphia intersect each other at right angles, and it is probably the most regular and best-laid out city in the world — perhaps equal to Babylon of old; and peradventure in other less-eligible respects may equal it, within the compass of two centuries: I mean in numbers, wealth, splendor, luxury and vice. This city and province are in a most flourishing state: and if numbers of buildings, men, artificers, and trade is to settle the point, Philadelphia is the metropolis of this Northern region.

The Philadelphians boast of their markets, and most of the Southern gentlemen justify this vaunting: it is undoubtedly the best regulated on the continent: but in point of plenty and goodness of beef, mutton, veal, lamb and poultry, they most certainly do not equal Boston; I think are visibly inferior to it in these respects.

In the articles of bread, sparrow-grass and butter, I never saw any place equal to it.

The Philadelphians in respect of the bounty and decency of table are an example to the world; especially to the American: with the means of profusion, they are not luxurious; with the bounties of earth and sea, they are not riotous; with the riches of commerce

and industry, they avoid even the appearance of epicurean splendor and parade.

Very few ladies in Philadelphia head their tables on days of entertainment of several gentlemen. At first I was not pleased with this custom: on reflection and further consideration, I approve it. However I prophesy that it will be laid aside here in a very few years.

The political state of Pennsylvania is, at this time, the calmest of any on the continent.

The attention, respect and civility paid me during my residence in this agreeable town is apt to bias my judgment; as no doubt all things receive a tincture, if not their form, from the medium through which they are received.

May 10. Owing to the company with which I was now associated I passed through New Jersey with unusual, and comparatively unprofitable speed.

Burlington which I saw at a small distance, and Trenton which I passed hastily through are pleasantly situated and appear flourishing.

Princetown where we tarried one night is a delightful and healthy spot: the College is charmingly situated and is a commodious and handsome edifice. It is said to be in a flourishing state.

The soil and culture of the Jersies are equal, if not superior, to any (yet settled) in America. 'T is indeed a fine country.

Having passed rapidly through this province and for that reason declined delivering any of my letters, I am quite an incompetent judge of the constitution, laws, policy, and manners of this people.

May 10.[1] In the evening we reached Powles-Hook ferry, and next morning reached New York.

In the afternoon and evening we traversed the whole city: and spend the night at out lodgings in company with Major R. Bayard and Mr. Hide.

May 11. Breakfasted with Major Bayard, received a few complimentary visits, and invitation to dine with Col. William Bayard at his seat in the country.

Went to the playhouse in the evening, saw the Gamester[2] and Padlock[3] performed — the players make but an indifferent figure in tragedy, they make a much better in comedy. Hallam[4] has

[1] The date is repeated.

[2] By Edward Moore.

[3] By Isaac Bickerstaff.

[4] Lewis Hallam (1738–1808). In "The Padlock" he took the part of Mungo and in "The Gamester," that of Beverly.

merit in every character he acts: Mr. Wools[1] in the character of Don Diego, and Mrs. Morris, in that of Ursula, I thought acted superlatively.

I was however upon the whole much gratified, and believe if I had stayed in town a month should go to the theatre every acting night. But as a citizen and friend to the morals and happiness of society I should strive hard against the admission and much more the establishment of a playhouse in any state of which I was a member.

May 12. Spent the morning in writing and roving.

Dined with Col. William Bayard at his seat on North River. His seat, table, and all around him in the highest elegance and taste. His daughter Mrs. Johnson sung three or four songs with more voice, judgment and execution than I ever heard any lady. Several of the company who heard the best singers in London said she surpassed them: All agreed she equalled the celebrated Mrs. Brent,[2] but Dr. Middleton[3] said his complaisance did not lead him to say he had never heard better singing in England, but he had met with nothing like it in America.

Was this day invited to dine on the morrow with David Vanhorne Esqr. and Mr. [*blank*] Broom[4] the husband of the late Miss Rebecca Lloyd, but declined them both expecting on the morrow to go through the Sound to Rhode Island.

Drank tea with Mr. Broome and lady; she appeared in her usual goodness; he is endowed with much civility, understanding and politeness.

Attended a public concert which was very full. The musick indifferent; the room intolerable. The ladies sprightly, loquacious, familiar and beautifull: the men not so richly or elegantly dressed as I expected, nor so gallant as the incitements of the night seemed to justify. Miss Hallam and Miss Storer[5] (two actresses) sung several times well, but their melody was much injured by the instrumental musick. Indeed it is not uncommon to hear vocal musick frequently thus destroyed, and every softer beauty of it lost.

May 13. Spent the day in riding and rambling, and the evening at the playhouse. The Tempest of Shakespear, the Masque of

[1] Stephen Woolls. The part was in "The Padlock."

[2] Miss Charlotte Brent (d. 1802), afterwards Mrs. Thomas Pinto.

[3] Peter Middleton (d. 1781).

[4] John Broome, a merchant, who married Rebecca Lloyd of Long Island, a niece of Dr. James Lloyd of Boston. She was engaged to Edmund Quincy, a brother of the writer, at the time of his death in 1768. *Memoir of Josiah Quincy, Jr.*, 109 *n.*

[5] Maria Storer. See Seilhamer, *History of the American Theatre before the Revolution*, 350.

Neptune and Amphitrite, and the Honest Yorkshireman [1] was performed. The scenery of The Tempest was far beyond what I thought practicable. The players excell in comedy; are but indifferent in tragedy.

[*May*] 14. Preparing for departure and congratulatory and complementary trifles consumed the day.

Paid Mr. Rivington [2] for his paper for one year from the first publication; which he is to send me free of further expense.

May 15. By the desire of Col. Oliver and some other polite company took passage down the Sound for Newport. Was the rather induced to this tour by water than through Connecticut, having before gone through that Colony, and my horses being so fatigued with their journey as to render it doubtfull whether they could reach home by land.

May 17. 'Bating one storm which occasioned our lying at anchor one day, our passage was pleasant; and we reach[ed] Newport safely this day about noon.

The equestrian statue of his Majesty near the Fort, is a very great ornament to the city New York. The statue of Mr. Pitt has all the defects of that at Charlestown (I before mentioned) with the additional one of being of the pedestral kind instead of the colossal.[3]

The general character of the inhabitants of this city is much tinctured with gayety and dissipation.

But having now got so near the place of my birth and residence, my sentiments and opinions may be presumed to be too much affected by former impression and biases to make me an impartial judge or wholly indifferent relator. I therefore waive a detail of my observations and judgment upon the two Colonies of N[ew] York and Rhode Island for the same reason.

Thus (*currente calamo*) have I given some idea of the impressions made upon my own mind in this agreeable tour. Opinions and sentiments formed in haste and (as Lord Bacon says) upon the spur of the occasion are liable to many exceptions; and may probably be erroneous. However they are evidences of my own judgment; may serve the valuable purpose of bringing past scenes into present and future view, and be a landmark of our own errors. Some of the most durable pleasures are of the retro-spective kind: some of the best preservatives from present mistakes are written transcripts of past errors.

[1] A ballet-opera, by Henry Carey.

[2] James Rivington (*c.* 1724–1802), publisher of *Rivington's New York Gazetteer*, the first issue appearing April 22, 1773.

[3] Page 456, *supra*.

What I have set down will be chiefly usefull to myself: it cannot be profitable or entertaining to the uninterested reader who may chance to cast his eye on this hasty production. If he throw it down with the gesture of contempt — let him remember it was not intended to please or instruct him. A bird of passage may easily collect — peradventure bear away — food for itself; but can transport on his fleeting tour very little, if any thing of sufficient solidity for the nourishment or regale of others.

Were I to lament anything, it would be the prevalent and extended ignorance of one colony of the concerns of another.

Were I to hazard an eccentric conjecture it would be, that the Penn, Baltimore or Fairfax families will hereafter contend for the dominion — and one of them perhaps attain the sovereignty — of North America. And were I to breathe a wish, it would be, that the numerous and surprisingly increasing inhabitants of this extensive, fertile and amazing continent may be thoroughly attentive and suitably actuated by the blessings of Providence, the dangers which surround them, and the duties they owe to GOD, themselves and posterity.

MEMOIR[1]

OF

FREDERIC WARD PUTNAM

BY ALFRED M. TOZZER.

FREDERIC WARD PUTNAM was born in Salem, April 16, 1839, and he died in Cambridge, August 14, 1915. He was the son of Eben and Elizabeth (Appleton) Putnam, grandson of Eben and Elizabeth (daughter of General John Fisk) Putnam and of Nathaniel and Elizabeth (daughter of Joshua Ward) Appleton and descendant of John Putnam who, in 1640, migrated from Aston Abbotts, Bucks, England, to Salem. In 1864 he married Adelaide Martha Edmands. Three children were born, Eben, Alice Edmands and Ethel Appleton Fiske, now Mrs. John Hart Lewis. In 1882 he married Esther Orne Clarke. He received the degree of B.S. from Harvard in 1862, his father, grandfather and great-grandfather being also Harvard graduates.

From early boyhood he showed a great desire for a knowledge of natural history. With little help, and mainly on his own initiative, he published at the age of seventeen a list of the birds of Essex County. At this time he was appointed Curator of Ornithology in the Essex Institute. Professor Louis Agassiz soon discovered him at Salem and induced him in 1857 to become one of his assistants in Cambridge. While still retaining his position in Salem he worked with Agassiz until 1864. His fellow students at this time were Edward S. Morse, Alpheus Hyatt, Samuel H. Scudder and A. S. Packard. The influence of Agassiz was the dominant force in his whole life. His love for his teacher and the respect and admiration for Agassiz's

[1] Communicated by Charles P. Bowditch.

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method of teaching were always favorite themes in his conversations with his own pupils. His never-ending lament was that *his* students found their knowledge in books rather than in specimens. His work in ornithology and ichthyology is shown in the following list of positions he held from 1864 to 1878:

> Curator of Vertebrata, Essex Institute, Salem, 1864–1866; Superintendent, Museum of Essex Institute, 1866–1871; Superintendent, Museum of East Indian Marine Society, 1867–1869; Director, Museum of Peabody Academy of Sciences, 1869–1873; Massachusetts Commissioner of Fish and Game, 1882–1889; Curator of Ichthyology, Boston Society of Natural History, 1859–1868; Assistant in Ichthyology, Museum of Comparative Zoölogy, 1876–1878.

His interest in anthropology may be said to have begun as early as 1857 while attending a meeting of the American Association for the Advancement of Science in Toronto. On one of his frequent excursions into the country in search of information he found on the site of Mount Royal a quantity of clam shells, fish bones, burned earth and pottery. This was one of the first reported discoveries of the work of ancient man in America. "The study of man and his work," a definition he has often given for anthropology, became even at this early time an interest second only to that of ornithology. From 1875 onward his work was mainly along anthropological lines. The previous year he had been an assistant in the Kentucky Geological Survey and from 1876 to 1879 he was assistant to the United States Engineers in Surveys west of the one hundredth meridian. It was at this time that he made his contribution to the knowledge of the prehistoric ruins in southern California, Arizona and New Mexico. The year 1875 marked his appointment as Curator of the Peabody Museum, a position he held until 1909, when he became Honorary Curator, and from 1913 to the time of his death he was Honorary Director. The beginnings of the museum go back to 1868 to a single case of specimens in Boylston Hall under the curatorship of Jeffries Wyman. Professor Putnam took charge while the collections were still housed in Boylston. The first part of the present building was begun in 1876. With an addition in 1888 and the completion of the building in 1913, Professor Putnam

happily lived to see the fruition of his hopes. The museum as it now stands is a monument to his knowledge and devotion, his energy and his ability in interesting others. He has been classed with John Wesley Powell and Daniel Garrison Brinton. They were the three pioneers of anthropology in America. President Eliot once drew an interesting parallel of the pioneer work of Asa Gray in botany and of Professor Putnam in anthropology. The science was one new to this country, and many were the struggles and difficulties which had to be overcome. Nowhere perhaps were there greater difficulties than at Harvard. Professor Putnam's untiring zeal and enthusiasm finally won a place for it in the university.

His appointment as chief of the anthropological section at the World's Fair in Chicago in 1892 marked an epoch in American anthropology. The interest aroused by the collections which he gathered together in Chicago resulted in an immense impetus being given to the study of this subject in colleges and to the creation of anthropological museums. The "cabinet of curios" now gave way to scientific collecting. As a direct outcome of the Chicago Fair the Field Museum was started. Its conception was due mainly to Professor Putnam, and one of his students has been Curator of Anthropology in this institution up to the past year. The organization of an anthropological department at the American Museum of Natural History in New York was placed in the hands of Professor Putnam, where he was Curator of Anthropology from 1894 to 1903. He was also called upon to direct the beginnings of the work in anthropology at the University of California. Here he was Professor of Anthropology and Director of the Anthropological Museum from 1903 to 1909. In the institutions in New York and in California he laid the basis of organization and inaugurated the main lines of activities which have been carried out to the present time. In connection with his work for the Peabody Museum and for the other institutions with which he was connected he personally conducted or directed archæological work in thirty-seven different states in addition to extensive expeditions to Central America and Mexico and more limited investigations in South America, Canada and Europe. His energy and enthusiasm, coupled with great perseverance, are markedly shown in these

several fields of investigation. Perhaps the best example is the work at Trenton, New Jersey. In spite of opposition and much discouragement he insisted the work here should be kept up. For thirty years he had one or more men constantly at work investigating this site for the possible presence of geologically ancient man. The work at Trenton was supplemented by similar lines of investigation in California. He lived and died with the firm conviction that man lived on this continent in glacial times. He felt that he had been able to prove this with the human femur found in the glacial gravels in New Jersey. It is a pleasure to note that excavations carried on within the last year by the American Museum serve to substantiate Professor Putnam's thesis and the accuracy of his observations. There is perhaps no other single point of investigation within the whole field of archæology that has been so long-continued and so carefully carried out as this work at Trenton. However much one may differ with Professor Putnam as to the subject in question, no one can fail to admire the persistence of this search for the truth.

Professor Franz Boas in addressing Professor Putnam at the dinner given in honor of his seventieth birthday said in part: "We owe to you the development of steady, painstaking methods of field research and of care in the accumulation of data; not detached from the ends sought by Powell, not without ideas as to their interpretation, but looking forward steadily and firmly toward a goal that cannot be attained in a few years, nor in a generation — that must be before our eyes all the time, and the attainment of which demands our whole energy. No trouble has been too great for you in the pursuit of this aim; and to your faculty of creating enthusiasm among half-willing friends of science, anthropology owes much for what it is. We can hardly turn to one of the great centres of anthropological research without finding that its very existence, or at least much of its work, is due to your inspiring personality." His aptitude for organization is seen in no better way than in the office of Permanent Secretary of the American Association for the Advancement of Science. For twenty-five years (1873–1898) his was the guiding hand to direct the activities of this society. Much of the character of the present

association, its aims and its results show the broadness of mind and of vision of its Permanent Secretary.

Professor Putnam's great ability as an organizer was coupled with his power of interesting others in anthropology. He took advantage of every opportunity of emphasizing the importance of the study of early man. His enthusiasm was infectious. He saw the great opportunities for anthropological work in America and he realized the necessity of training men in this field. He had been appointed Peabody Professor of American Archæology and Ethnology in 1886. He was made Professor Emeritus in 1909. The first regular teaching of anthropology was begun at Harvard in 1895. Professor Putnam gave few formal lectures in his courses. He believed in laboratory work on specimens rather than work with books. A list of his students would contain names on the teaching staff of many colleges and on the staffs of practically all the anthropological museums of the country. One of the great reasons for his success was his remarkable and unselfish interest in the work of his students. The sincere and sympathetic personal contact was always present. He never turned anyone away who showed any interest and any aptitude for anthropology. He always found a way to provide for a poor student even if the means had to come out of his own pocket. He never was too busy to listen and he was always filled with an abundant optimism.

Another line of activity to which he characteristically bent all his energies was the movement to preserve the prehistoric monuments in the United States. Many of the antiquities of the country were preserved for all time owing mainly to his initiative. He was especially interested in having the most important of the "cliff dwellings" in the southwest preserved as "national monuments." Through his efforts the famous serpent mound in Ohio was bought and turned over to the Ohio Historical Society. In addition to the numerous societies purely anthropological in purpose in which he had an important part to play as an organizer, his share in the establishment of the Archæological Institute of America in 1879 should be mentioned. The others on this organizing committee were Charles W. Eliot, Charles Eliot Norton, Alexander Agassiz, William Endicott, Jr., W. W. Goodwin, Augustus Lowell,

Martin Brimmer, T. G. Appleton, E. W. Gurney, Henry P. Kidder and C. C. Perkins. The traditions of Classical Archæology were broken for the first time and American Archæology was invited to enter the fold. This new departure was due in great part to the personality and to the enthusiasm of Professor Putnam.

A rather tardy recognition came to him of his labors in behalf of anthropology. He received an honorary A.M. from Williams in 1868. He was made an honorary member of the Phi Beta Kappa at Harvard in 1892 and an honorary Doctor of Science from the University of Pennsylvania in 1894. He received the Cross of the Legion of Honor from the French government in 1896 and the Drexel Gold Medal from the University of Pennsylvania in 1903. Petrie, Evans and Hilprecht were the other recipients of this honor. He would have been given an honorary degree from Oxford in 1912 at the meeting of the International Congress of Americanists, had his health permitted him to attend. He was a member of the National Academy, the American Academy of Arts and Sciences, the American Philosophical Society and a large number of other learned societies of the United States. He became a member of the Massachusetts Historical Society in 1892 and at the time of his death stood ninth in seniority on the Resident roll. He was also a member of scientific societies in London, Edinburgh, Paris, Brussels, Berlin, Stockholm, Florence, Rome and Lima.

He wrote more than four hundred papers and reports on zoölogy and anthropology. He was a painstaking and most efficient editor of the publications of the different societies and museums of which he was the head. He played the principal part in the establishment of the *American Naturalist*. He has no large work to his credit, due mainly to the fact that his efforts were in other lines than publication. He gave freely of his time and his advice as well as material to others who profited largely therefrom. To Professor Putnam was granted the opportunity of opening an entirely new field of research in America and of developing a new science, and he lived to see the recognition of this science which owes so much to him.

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